

Y 4.J89/2:S.Hrg. (104-851)

# CHURCH BURNINGS

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104-851

## HEARING

BEFORE THE

### COMMITTEE ON THE JUDICIARY

### UNITED STATES SENATE

ONE HUNDRED FOURTH CONGRESS

SECOND SESSION

ON

THE FEDERAL RESPONSE TO RECENT INCIDENTS OF CHURCH  
BURNINGS IN PREDOMINANTLY BLACK CHURCHES ACROSS THE SOUTH

JUNE 27, 1996

Serial 506 of 104-88

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# CHURCH BURNINGS

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THURSDAY, JUNE 27, 1996

U.S. SENATE,  
COMMITTEE ON THE JUDICIARY,  
*Washington, DC.*

The committee met, pursuant to notice, at 11:01 a.m., in room SH-216, Hart Senate Office Building, Hon. Orrin G. Hatch (chairman of the committee) presiding.

Also present: Senators Grassley, Specter, Thompson, Kyl, Abraham, Biden, Kennedy, Leahy, and Heflin.

## OPENING STATEMENT OF HON. ORRIN G. HATCH, A U.S. SENATOR FROM THE STATE OF UTAH

The CHAIRMAN. I apologize to everybody here. The Judiciary Committee had to have a special executive session and it took us a little while off the floor after the last vote and it was a controversial session and it just took us longer than we thought it would take. So I apologize to everybody concerned because this is a very, very important hearing to all of us.

This morning, the Judiciary Committee will hear testimony concerning a very disturbing series of church burnings, many of which involve identifiably black churches. The role of black churches in the black community and in American history cannot be overstated, nor can it be succinctly described.

Not only houses of God tending to the spiritual and cultural needs of their parishioners, not only refuges from oppression and indignity in the wider society through the centuries, black churches were often, in the words of Rev. Jesse Jackson, "railroad station[s] and so often the pastor was the conductor," in the underground railroad for slaves escaping bondage. More recently, black churches served as command centers and outposts in a great movement for civil rights which has benefited every individual American.

We must be clear about what is at stake here. An attack, be it by arson, vandalism or otherwise, on a house of worship is an attack on religious liberty. Such an attack, motivated by racism, anti-Semitism, anti-Catholicism or any bigotry, is an attack on Americans simply because of who they are.

When one examines the founding documents of our great country, one will find that religious liberty is the first freedom protected in the Bill of Rights. In our Declaration of Independence, we held as a self-evident truth that all men are created equal. The arson attacks on any house of worship, and especially those motivated by bigotry, are attacks on the very idea of America.

This is a matter of concern for Americans of all religious faiths and all races and colors. As a member of a minority religious faith whose leader was murdered in Illinois in 1844, whose adherents were hounded, harassed, and killed, against whom Governor Boggs of Missouri in 1838 signed an extermination order, and who were eventually driven outside the then existing border of the United States, I understand this all too well. All Americans should believe, as I do, in the domestic application of the NATO principle: an attack on the rights of one American is an attack on the rights of all Americans.

I am very pleased by the response of so many private citizens and organizations who are pitching in to help rebuild these churches. We live in a free and a good society, and we have made progress in tolerance and in ensuring protection of the rights of persons who belong to minority racial, ethnic, and religious groups. We are, however, not yet done.

All real Americans condemn these arsons at black churches and at other churches that have been burned. Unfortunately, there are those who, while cloaking themselves behind our flag, and sometimes behind hoods, spew hate and bigotry. They hold a flag under which so many Americans of all religious faiths, races, and colors have died for all of us, a flag which itself is a very appropriate rebuke to these bigots. They not only disgrace themselves, they dishonor Old Glory.

When bigots or others go after any of our Nation's houses of worship, they are coming after all of us and we have a duty to respond. In that regard, I want to commend particularly Senators Faircloth and Kennedy for their bill which strengthens the Federal effort against attacks on houses of worship. I have cosponsored this bill. This bill also contains the Hatch-Simon Hate Crime Statistics Act reauthorization measure which has already passed the Senate, I am pleased to say, by unanimous consent.

Vigilance is necessary. We must remember history because, as the saying goes, if we do not, we may be condemned to repeating it over and over again. These recent black church burnings are a terrible enough series of events. They have terrible consequences, and let us hope that the expression of this hatred does not lead to the loss of innocent life.

I think it well to remember a quiet Sunday morning, September 15, 1963, in Birmingham, AL. The quietude in Birmingham was shattered that morning by a dynamite blast at a church. Four young black Americans—Denise McNair, age 11; Cynthia Wesley, Carole Robertson, and Addie Mae Collins, all 14 years of age—were murdered. Why? For one reason—the color of their skin. These children were never to grow up; never allowed to develop their God-given talents and abilities; never able to serve their family, their friends, community, and country; never able to raise families of their own; never able to grow old; never able to complete the wonder years of their innocent youth.

The following year, civil rights workers James Chaney, Michael Schwerner, and Andrew Goodman were murdered in Mississippi because of their civil rights efforts. Many others died in the civil rights struggle or just because of their skin color or their creed. We must remember all of them and we should remember all of them.



So I commend those who have worked so hard to try and resolve these issues and tried to bring a Federal presence into this matter. We have to work to do that and we have to make sure that these things end and that they don't happen again in our wonderful, free and open society.

Senator Biden.

**STATEMENT OF HON. JOSEPH R. BIDEN, JR., A U.S. SENATOR  
FROM THE STATE OF DELAWARE**

Senator BIDEN. Mr. Chairman, let me begin by thanking you for holding the hearing, but at the same time expressing what I suspect most of us feel, wishing that we weren't here holding this hearing, wishing that there were no need to hold this hearing. It seems incredibly strange to me, as it does, I am sure, to many of the people here, including my colleagues, that this kind of thing is the very thing that got me involved in politics. And I have been here for 24 years as a U.S. Senator, and the idea that 24 years ago, after the civil rights marches and after the civil rights strides that were made in the 1960's when I got here in 1972 that I would still be a Senator sitting holding a hearing on the burning of black churches in America in the year 1996, I would have chosen not to believe, I would have refused to believe, but it has happened.

Nonetheless, it is true; African-American churches are burning. Hatred most often in the church. And I don't use these words lightly. We are in an emergency. This is a genuine emergency. It has been 40 years since the Montgomery bus boycott, 35 years since the freedom rides, and over 30 years since Congress passed the most sweeping civil rights legislation in history. Yet, today, in 1996, African-American places of worship are being burned to the ground. Others are being defaced with racist graffiti, and it is happening with frightening and increasing frequency.

It is my understanding that in 1990, two African-American churches were burned—two. Two more were burned in 1991. In 1992, there was one; in 1993, two more. Then in 1994, there were 15 burnings; 1995, there were 13. And this year, according to the Justice Department, there have already been 29 fires, with 8 occurring in this month alone.

This is an evil. There is almost an intuitive logic to burning—I say logic to burning a black church, for it is the church where, as we all know, African-Americans have gathered to find strength and courage in the face of brutality and intolerance for the past 300 years. Back as a young student, the first time I was ever involved in any way in a civil rights effort in my State, which has the tenth largest black population as a percentage of blacks in America, was in a black church on the east side of Wilmington, DE. That is where people felt the safest where they could go.

It is the church where African-Americans have expressed their dreams of autonomy, respectability and equality, and it is the church where African-Americans have found the courage to say no, just simply to say, no, we are not second-class citizens and it is with moral authority that we blacks demand equality. It was within the church that they did that.

It is, thus, no wonder that the churches have historically been the targets of villains, bigots, and cowards. When the men in white

robes wanted to strike a blow against the civil rights movement, what did they do? They found the single most important symbol not only as it related to God and worship, but of autonomy and independence and courage; they found a black church. They didn't hang a black man. They found a black church and they burned it.

When segregationists wanted to bring down the spirit and determination of the freedom fighters, what did they do? They burned down churches. When vigilantes wanted to attack those who dared to speak for equality, what did they do? They didn't go attack the few businesses that were around. They didn't go attack the few things that were owned. They attacked the church.

I am sure many of us in this room remember the day in 1963 when over 900 children filed out of the 16th Street Baptist Church in Birmingham, only to have Bull Connor then turn on his powerful water hoses and his dogs. Four months later, a fire bomb ripped through that very church and, as has been mentioned, four young school girls were killed. They went to the church which was the ultimate symbol of the hope for autonomy and freedom for blacks.

The violence against African-American churches harkens back to a time that most Americans would like to forget, but we can't forget because it is happening again, and I would argue for the same exact reason. We also can't forget about what burns when churches burn and what is attacked when churches are attacked. A church, like a synagogue or a mosque and all houses of worship, is a place of grace and of faith. It is where we teach our children the difference between right and wrong. It is where we find hope when we are hopeless, faith when we are faithless. It is where we gather in fellowship when we go to find our moral voice and our vision.

Like all hate crimes, these fires send the message of exclusion. They say to those that congregate in those black churches, you are different, you don't belong, and we reject you. Also, as with all hate crimes, they violate their victims twice. There is the violence itself, of course, which destroys the brick and mortar, but then there is something much more. I need not tell any of the witnesses who are going to testify today. There is the violation of a community's spirit, a violation of the sense of security, of dignity, of the very identity of black Americans.

If we can't worship in a place in safety, where in God's name—no pun intended—where can we worship? Where can we gather? I mean, this notion of the sanctity of the church goes back to medieval times. In Catholicism, the one place you could go to get away from the sheriff, the one place where the king couldn't touch you was the church, the church.

I understand that the evidence gathered so far in this investigation of these fires doesn't appear to point to an organized national conspiracy, and some see some hope in that. Quite frankly, I see the opposite. If it were a conspiracy by a group of organized people—we know that there are organized bigots, we know that there are organized terrorists. We know that, and we have a chance to deal with that. But quite frankly, I, for one, am given no comfort by that fact. In fact, it troubles me even more.

Somehow, the idea of a tight-knit group of racist fanatics, though ugly and horrible, seems not quite as horrible as the picture that appears to be beginning to come in focus here, which is a substan-

tial number of mean-spirited, ugly people, perhaps unconnected to each other or with organized groups, who think somehow it is legitimate to burn to the ground African-American places of worship as an expression of their hatred.

These fires stand as a stark reminder. America is not a yet the national home that we all want it to be where all Americans can live together, free from fear, discrimination and hatred, and where all Americans can live with honor, dignity, and equality. We would all like to believe that we live in a color-blind society—I have heard that so many times lately—where tolerance always wins, where race doesn't matter. But we don't live in a color-blind society, tolerance does not always win, and race still matters in America.

To be sure, we have made great strides and important strides toward racial harmony and equality over the years, and I am optimistic at my root about the future, for I believe what Dr. King said following his historic march from Selma. He said the arc of the universe is long, but it bends toward justice—an oft-repeated remark, but still, I believe, as true today as it was then, and it is bending toward justice.

The cancer in our body politic that is racism has receded. Yes, it has receded, but it has not been eliminated, root and branch, and if we pretend that we need not be vigilant and if we accept the myth that we have a color-blind society, and if we legislate and decide court cases based on those assumptions, then hatred and intolerance will grow and spread like the fires that are being set.

As your brother said, Senator Kennedy—President Kennedy said the enemy of truth is very often not the lie, deliberately contrived and dishonest, but the myth, persistent, persuasive, and unrealistic. I commend Senators Kennedy and Faircloth for their work on this legislation that we passed, I guess, yesterday which will pave the way for stepped-up Federal investigation and prosecution of these arsons.

I am anxious to hear from our witnesses today. We should make sure that we are doing all that we can do to track down and crack down on those who are burning these churches. The Federal interest here is clear, for arsons, fueled by hate, are civil rights violations, no ifs, ands, or buts about it.

I also look forward to hearing from members of the religious community who have joined us today. Your spiritual leadership in these times is as important as it ever has been. Together, we must all work to bring this campaign of terror to an end and we all must make it our business to see that the arc of the universe bends toward justice. In my view, we can only do that if we are realistic in the way we legislate, the way we talk, and the way we decide cases because race does still matter, unfortunately, and if we fail to recognize that, we are going to perpetrate the mentality that allows these kinds of things to take place.

I thank you, Mr. Chairman.

The CHAIRMAN. Well, thank you, Senator Biden.

We will put all other opening statements of other members of the committee into the record at this point.

[The prepared statements of Senators Leahy and Kohl follow:]

PREPARED STATEMENT OF SENATOR PATRICK J. LEAHY, A U.S. SENATE FROM THE  
STATE OF VERMONT

The dozens of church burnings that have occurred in the last several months are intolerable. Vermonters of all faiths have been praying and sending aid to those who have suffered these terrible losses. I know that the Episcopal Diocese of Vermont has created a Southern Church Relief Fund, the campus ministry at my alma mater St. Michael's College is raising money, and individual Vermonters are giving what they can because of the kinship they feel for those whose places of worship have been desecrated and destroyed.

Yesterday the Senate passed legislation to assist law enforcement in pursuing the perpetrators of these types of crimes and to provide loan guarantee recovery funds for rebuilding these churches and other structures of nonprofit organizations important to the community that have been destroyed by arson.

I am glad to have played a role in clarifying the Victims of Crime Act provisions so that anyone who suffers injury from a violation of section 247, the insidious destruction of religious real property, will be eligible for victim compensation. I also note that the expansion of the Victims of Crime Act that I sponsored and which was enacted as the Justice for Victims of Terrorism Act is also available should there, Heaven forbid, be victims of these terrible crimes that might otherwise overwhelm a State victim compensation or assistance program.

The legislation we passed 98-0 yesterday is a good bill and one that I am proud to have cosponsored. But passing this new law is not enough. While we join with the President to do all that we can to assist local, state and federal law enforcement to investigate these matters, we also have a responsibility to continue to focus attention on this conduct, which is so profoundly destructive of all the best that America stands for—tolerance of racial and religious differences in a law-abiding society. We praise those who are responding to this crisis and assisting in the rebuilding of these places of worship and the communities that have been victimized by arson.

I have previously expressed my concerns about the increasing number of people who are turning their frustration and alienation into violence. From church burnings to the Unabomber to international and domestic terrorism, we have seen a terrible series of recent events. Our basic social fabric is being tested. Each of us, especially those of us in government, need to ask ourselves what more we can do to prevent these violent incidents and to make our democracy and our communities more inclusive rather than less.

I am troubled by an apparent arson in Vermont that took place over the last two weeks. Fortunately, it was not a church, but it was at the construction site of an egg farm. A challenge had been brought to apply certain State environmental protection laws to the operation. When the challenge failed, the trailer of building materials on the property was destroyed and wooden roof trusses ignited. This is another example of someone who has decided to put himself above the law and to cause criminal damage and harm in that process. I feel strongly about environmental protection and work hard for effective laws. I am proud of Vermont's Act 250 and feel strongly that it should be respected. But I cannot condone strong feelings being translated into acts of arson—that crosses the line. If this can happen in Vermont, it can happen anywhere.

That is also one of the lessons of the spread of church burnings. These multiple incidents of arson do not appear to be the result of a single, unified conspiracy. Rather, they point to the widespread nature of the problem we face.

If destructive acts can spread through copycats and imitators, so can positive action. We must each in our own way be more inclusive and more responsible. We must each support our communities and reach out to others. We cannot afford to ignore the pain or estrangement that others are suffering if we are to come together as a community, a State and a nation.

In Congress, we can tone down the incendiary rhetoric and be more thoughtful about the consequences to people of the deep cuts to social programs that some have proposed. I thought that Andrew Young was most perceptive when he recalled Dr. Martin Luther King's observation that it is often those who believe that they are getting a raw deal who turn their anger and frustration on African Americans.

I hope that we can end this dangerous chapter in our nation's history and that the public, the private sector and all of us can be drawn together—in the manner that this often-divided Senate was drawn together to pass this bill without a dissenting vote—by the tragic events over the last several months.

I thank Senator Kennedy and Senator Moseley-Braun for the leadership they have shown in bringing us all together. I look forward to hearing from our witnesses about their efforts against church burnings.

PREPARED STATEMENT OF SENATOR HERB KOHL, A U.S. SENATOR FROM THE STATE OF WISCONSIN

Mr. Chairman, since the beginning of this year, a series of fires has swept our country. More than thirty predominantly African American churches in the southeast have been burned. Some of these fires were set by people with obvious race hatred. Two people with ties to the Klan were arrested for fires in South Carolina. But in other cases, the fires were set by teenagers who were so infected by a culture of racism that they thought black churches would make a worthy target for their vandalism.

In some ways, this disorganized brand of racism is more frightening than any organized conspiracy. When hate groups spread their message we know how to answer them. But attacking the subtle racism that has tainted so many children is a much more daunting task.

Mr. Chairman, no state is immune from the effects of these fires in the South. The problem is national. A fire in Tennessee has been felt in Wisconsin. My friend Reggie White's church in Knoxville, Tennessee, was burned. That fire impacted and saddened all of us in my home state. And the people of Wisconsin have responded. Children from Wisconsin emptied their piggy banks to rebuild the church of their Green Bay Packer hero.

The fire at Reggie White's church has not been solved yet. But in the last few months, the FBI, the Bureau of Alcohol, Tobacco and Firearms, and state and local law enforcement have vigorously investigated the fires in our churches. They have made numerous arrests and have leads on many other cases.

Despite this progress, no one can hear of these fires and not be discouraged. We thought this was behind us. Nevertheless, the good news is that these fires cannot undo all of the progress this nation has made in race relations. Throughout our country, and in my home state of Wisconsin, everyone has condemned these burnings. The people who are torching these churches have no support. But these fires also tell us that we have not eliminated meaningless and vicious racism in our country.

Many people may say that these fires are blows aimed at racial and religious equality. And they are. But we will not let these blows have great effect. We will rebuild the churches burned; we will all join in condemning the bigots who started the fires; and with the law we passed yesterday, we will assure that punishment is swift, sure, and severe.

Thank you, Mr. Chairman.

The CHAIRMAN. As our first panel, we will hear from two of our distinguished Senate colleagues, Senator Lauch Faircloth of North Carolina, and Senator Ted Kennedy of Massachusetts, who is, of course, a member of this committee. Senators Faircloth and Kennedy are the chief sponsors of the Church Arson Prevention Act of 1996 which passed the Senate yesterday by a unanimous vote of 98-0.

So we welcome both of you and we look forward to your statements. We will start with you, Senator Faircloth, and then we will go to Senator Kennedy.

**STATEMENT OF HON. LAUCH FAIRCLOTH, A U.S. SENATOR FROM THE STATE OF NORTH CAROLINA**

Senator FAIRCLOTH. Thank you, Mr. Chairman. The Arson Prevention Act of 1996 is designed to meet two goals; First, to prosecute the criminals who would sink so low as to burn a church and, second, to send a message that people of faith and good faith will not stand for or tolerate this type of violence.

Senator Kennedy and I have worked together on this bipartisan legislation in order to demonstrate that America's commitment to protecting houses of worship crosses both philosophical and geographical borders, and please allow me to publicly thank Senator Kennedy for the leadership he has demonstrated and put forth.

As I said last week, if we in Congress can't agree that church burning is a despicable crime, then what is there in this world we can agree upon? And we do agree that this is a despicable crime and that we are going to do something about it.

Several North Carolina churches burned down in the past year-and-a-half. Some of these fires were accidents, while others were intentional. The criminals who set fires on purpose, whatever their reasoning, should be prosecuted and punished, and to the maximum extent of the law. In most of these cases, State and local law enforcement are more than capable of handling the arson investigations, but there may be, and there probably are special circumstances, such as criminals moving State to State setting fires, where Federal assistance and a Federal statute is needed to adequately resolve the situation.

The material for being an interstate setter of churches on fire is not very complex. About all you need is a pickup that will run and a can of kerosene and you could wreak havoc in many States, and do it very quickly. It is not a complex operation.

This bill gives prosecutors the tools they need to fully punish guilty parties. It raises the penalty for church arson from 10 to 20 years. It extends the statute of limitations for church arson from 5 to 7 years. Both of these changes make the penalties consistent with other Federal arson crimes.

Mr. Chairman, additionally, this bill authorizes funding for the Treasury and Justice Departments to train local law enforcement investigators who would be investigating church arsons. The legislation does not provide any new funding. This will be determined by the Appropriations Committee.

Also, this legislation allows the HUD Secretary to make money that has already been appropriated for use as loan guarantees in the rebuilding of these churches. I really don't believe that such funding will be necessary. I believe the American people, through their own spirit of goodwill and charitable generosity, will put forth the funding to rebuild these churches. In fact, in the bill I inserted a sense of the Congress commending those that have and will put forth such funding, urging other private individuals and companies to continue their efforts on behalf of rebuilding the churches.

I probably have a somewhat unique experience in growing up in the rural South and in a very rural community and watching and seeing as a child in the 1930's, and understand how these churches, mostly small, serve as a center of family and community life. The church, I think, nationwide, but particularly in these small, isolated communities, is the most civilizing influence that its parishioners deal with. It serves a dual purpose as a religious edifice, but also it is a civilizing influence. It is the center of community activity and a source of personal pride to the members.

Burning these churches is an assault on everyone's family and community. It is a degree of violence that we have no business tolerating in this country, not even a little bit. Mr. Chairman, I believe that the Senate realizes that this bill is not about liberals or conservatives, or black or white. It is about something much larger, and that is the power of justice, the importance of faith, and the ability to distinguish between right and wrong.

I thank the committee for allowing me to appear here this morning and make this short statement on what I truly believe.

The CHAIRMAN. Thank you, Senator Faircloth.  
Senator Kennedy, we will turn to you.

**STATEMENT OF HON. EDWARD M. KENNEDY, A U.S. SENATOR  
FROM THE STATE OF MASSACHUSETTS**

Senator KENNEDY. Thank you very much, Mr. Chairman. I want to pay tribute to the leadership of Lauch Faircloth for being so responsive to this challenge in the first hours of what has been a national tragedy and a disaster to so many communities of this country, and I have enjoyed the opportunity to work with him.

Mr. Chairman, we want to thank you for having these hearings. We want to thank Senator Biden, and both of you, for the help and assistance that you gave to us in fashioning this legislation. The legislation that we are talking about this morning is broad-based. It builds on the excellent initiatives that have been developed by Congressmen Hyde and Conyers in the House of Representatives.

As Senator Faircloth has pointed out, this is really an expression of the United States Senate's sense of outrage and indignation, and deploring of the activities that we have seen in the burning of churches in so many different parts of our country, and we look forward now to hearing from Assistant Attorney General Deval Patrick and Assistant Secretary Johnson who will tell us how the progress is going in the investigation. Then I know our committee is going to welcome the testimony of Reverend Jones from the National Council of Churches, and also Lawrence Haygood, whose church was burned twice. It is going to be important that we hear their comments.

Just very briefly, as my colleague has pointed out, America will never be America until we free ourselves from the stains of discrimination and bigotry in our society. Unfortunately, discrimination was written into the Constitution of the United States. We fought a civil war in the 1860's to try and address the remnants and the stains of discrimination, and we were not really successful until the late 1950's and the early 1960's when we saw, under the leadership of Dr. King, church leaders, brave and courageous judges on the fifth circuit, business and labor leaders, and men and women from all over this country work in a coordinated way, Republicans and Democrats, to begin the process of trying to pass laws to try and free ourselves from discrimination.

We have made progress on the issues of race. We have made progress on discrimination against gender and disability and other forms of discrimination, but still it exists, Mr. Chairman, and we have attempted to try and fashion very targeted, but we believe important legislation to get at the particular crying need, and that is on the problem of arson on churches in this country.

We know, Mr. Chairman, that the burning of churches in many respects, as you have pointed out, and Senator Biden and Senator Faircloth, is the most outrageous type of violence outside of violence to individuals, clearly, because this takes premeditation, it takes deliberation, it takes consciousness to destroy the places of worship which are the center of our faith, our beliefs, and our val-

ues, and just strikes at the soul of every American who deprecates these kinds of activities.

So we welcome the fact of the unanimous vote in the Senate. We welcome the fact that we have every expectation that it will pass before the Congress adjourns and that the President will sign it very quickly. As Senator Faircloth has pointed out, we have enhanced the prosecutorial abilities to prosecute these crimes. We had provisions in the 1988 act that were only used once, and recommendations from the Justice Department to enhance their ability to move toward more effective prosecution was a key element of this legislation.

To extend the statute of limitations, to make consistent the penalties for arson for burning churches as they are in the general Criminal Code, and to build on the 13th and the 14th amendments for the authority for action in this area, I think, strengthen the ability of the Justice Department to take a more aggressive role in terms of its prosecution and its investigation of these crimes.

To urge the ATF which provides about 85 to 90 percent of all help and assistance to local communities and to State police in the sophisticated new technologies dealing with arson—to make that more available to local communities so that they can help resolve these issues and make them available to States so that they can be more responsive is something that we have addressed, as well.

Then we have recognized the importance that the Community Relations Program has provided in areas to help provide some mediation and conciliation in many different communities, hopefully, prior to the time that there is this kind of violent action, and certainly afterwards to help bring about a sense of healing; then, finally, the provisions in HUD to help and assist through the non-profit groups the possibility of some loans to help build those churches that do not have the broad-based support that exists in many communities and are not able to draw from the generosity of different communities to help rebuild their churches.

Finally, Mr. Chairman, I just want to say all of us are impressed by the outpouring of generosity that has taken place all across this country. That has been true in so many different communities in my own State of Massachusetts, and that ought to be reassuring to so many of the communities in different parts of our country and in the Southern part of our Nation that people do really care, that individuals do feel that pain and anguish of so many of those that have seen the destruction of their place of worship. There has been an extraordinary outpouring of generosity and caring and love for their fellow human beings, and this is something that should be noted and understood.

Mr. Chairman, I would just say, finally, the real challenge is to recommit ourselves to the fundamental values of tolerance and mutual respect that are the backbone of any free society. That means a greater effort by all of us in public or private life to renounce tactics that seek to divide Americans by race or any other type of prejudice. Our diversity is our greatest strength. It is no coincidence that the Nation's motto is "E Pluribus Unum," out of many one. If we lose sight of that fundamental principle, we will be a lesser people in a lesser land. Out of the ashes of the burned churches, let



us build a new united spirit. Let us condemn bigotry in every form, wherever, whenever and however it appears.

Thank you.

[The prepared statement of Senator Kennedy follows:]

PREPARED STATEMENT OF SENATOR EDWARD M. KENNEDY

Thank you, Mr. Chairman, for this opportunity to testify before our Committee on the church arson epidemic. Yesterday was an important day in the Senate. We unanimously passed a bill to respond to the wave of arsons that has shocked the country. I am confident that the House will pass this bill before the recess, and I commend you, Mr. Chairman, and Senator Biden, Senator Faircloth, and Senator Moseley-Braun for your assistance in this bipartisan effort.

This new legislation gives prosecutors stronger tools to combat church arsons. It also provides relief to victims of these crimes through a carefully crafted HUD loan guarantee program. In addition, the bill authorizes additional ATF agents to assist and train state and local law enforcement. AFT has state-of-the-art technology to investigate these arsons, and the bill will enable it to teach state and local investigators the newest techniques for solving these difficult crimes.

The bill also authorizes the restoration of funds to the Community Relations Service, the mediation and conciliation arm of the Justice Department. This small but important agency has earned the respect of law enforcement officials nationwide by going into communities and working to reduce racial unrest through mediation and conciliation.

Congress needed to act swiftly in response to this festering problem. We have met this challenge through this bipartisan cooperation.

Today's hearing offers an opportunity to learn more about the current federal investigation and I welcome the appearance of Deval Patrick from the Justice Department and James Johnson from the Treasury Department. I also look forward to hearing about the status of the rebuilding efforts from Rev. Jones and others.

I have been impressed by the outpouring of generosity from numerous sources in the private sector. In Massachusetts, an interfaith group of religious leaders from Dorchester and Lexington is leading a racially diverse group of teenagers on a trip to Tennessee to help congregations whose churches have been devastated by fires. Unions, churches and other organizations in the Boston area have pledged financial support to assist in the rebuilding. Similar generous help from throughout the United States demonstrates the true spirit of America.

It is especially important that we also deal with the underlying climate of intolerance that has contributed to these outrageous acts. It is a distressing sign of the continuing bigotry in our society that the majority of the arsons have been directed at African-American churches. These arsons are occurring in the broader context of a growing hate crimes problem.

Last December the entire nation was shocked by the senseless murders of the African-American couple in North Carolina by three neo-Nazi skinheads who were serving in the U.S. Army at Fort Bragg. The victims were taking an evening walk when the defendants, who had been cruising the streets looking for African-Americans to harass, approached and viciously murdered them. A Nazi flag, white supremacist literature, and pamphlets on Adolf Hitler were found in one defendant's apartment.

Hate crimes against gays and lesbians are on the rise. In fact, in some jurisdictions, assaults on gays and lesbians are the most prevalent form of hate crime.

Some of the church burnings have been accompanied by assaults on blacks. Two churches in South Carolina were burned on the same night in June 1995 by two members of the Ku Klux Klan. After setting the churches on fire, the perpetrators attacked an African-American man because of the color of his skin.

Whether it is arson against African-American churches or any other crimes based on bigotry, all are motivated by similar cancers in the soul of society. It is deeply distressing that such incidents are on the rise throughout America. We must work to root out racism and bigotry in every form. If we create a climate of intolerance, we encourage acts of violence. We respect and cherish the First Amendment right of free expression, but we must be mindful that words have consequences.

The real challenge is to recommit ourselves to the fundamental values of tolerance and mutual respect that are the backbone of any free society. That means a greater effort by all of us, in public and private life, to renounce tactics that seek to divide Americans by race or any other type of prejudice.

Our diversity is our greatest strength. It is no coincidence that the nation's motto is "e pluribus unum"—out of many, one. If we lose sight of that fundamental principle we will be a lesser people in a lesser land.

Out of the ashes of the burned churches, let us build a new united spirit. Let us condemn bigotry in every form, wherever and whenever and however it appears.

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U.S. SENATE,  
Washington, DC, July 1, 1996.

Hon. ORRIN G. HATCH,  
Chairman, Senate Committee on the Judiciary,  
Washington, DC.

DEAR SENATOR HATCH: Thank you for conducting a hearing last week on the recent spate of church arsons. Attached are statistics regarding incidents of violence in places of worship since 1990. I request that these statistics be made part of the record of the hearing on church arson that occurred on June 27, 1996.

With respect and warmest regards.

As ever,

EDWARD M. KENNEDY.

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FEDERAL INVESTIGATIONS OF INCIDENTS OF VIOLENCE AGAINST HOUSES OF WORSHIP  
SINCE MAY 1990

(Based on information compiled as of June 18, 1996.)

Source: Department of Justice and Bureau of Alcohol, Tobacco, and Firearms.

ALABAMA

1. Bucks Chapel Church.
2. Oak Grove Missionary Baptist Church.
3. Pine Top Baptist Church (Coatopa)—Between February 4 and 5, 1995, these three African-American churches were vandalized causing an estimated \$10,000 in damage. A local prosecution resulted in guilty pleas by two of three defendants. The two were sentenced to 4½ years in prison. The third defendant committed suicide. The investigation is closed.
4. Islamic Center (Huntsville)—On July 16, 1995, this house of worship was burglarized and vandalized.
5. Jerusalem Baptist Church (Boligee)—This African-American church was damaged by fire on December 11, 1995. The fire was caused by a furnace fire and the investigation was closed.
6. Mount Zion Baptist Church.
7. Little Zion Baptist Church.
8. Mount Zoar Baptist Church (Boligee)—Between December 22, 1995, and January 12, 1996, three African-American Baptist churches were destroyed by fire.
9. New Liberty Baptist Church (Tyler)—This African-American church was completely destroyed by fire on February 28, 1996. State charges have been filed.
10. Missionary Baptist (Selma)—On March 25, 1996, this predominantly African-American church was burned. This fire was determined to be accidental.
11. Rising Star (Greensboro)—On June 3, 1996, this predominantly African-American church was burned causing nearly \$250,000 in damages.

ARIZONA

12. Church of Jesus Christ of Latter-Day Saints Student Center (Tempe)—On November 21, 1994, the student center at this church was vandalized. This investigation was closed.
13. First Southern Baptist Church (Tucson)—On February 9, 1996, a fire at this racially mixed church caused \$1,000,000 in damage.

ARKANSAS

14. St. James Missionary Baptist.
15. Oak Grove Missionary Baptist.
16. Love Rest Baptist (Watson and Gillett)—On May 17, 1992 these three African-American churches were burned to the ground by two white males. They were prosecuted by the U.S. Attorney of the E.D. of Arkansas and convicted of one count each

of conspiracy, 18 U.S.C. §371. Each subject was sentenced to 37 months in federal prison.

## CALIFORNIA

17. Davis Community (Davis)—On October 4, 1993, this church was burned. Arrest made.

18. River City Metropol (Sacramento)—On March 27, 1994, this church was burned.

19. Islamic Center (Yuba City)—On September 1, 1994, this mosque was burned.

## COLORADO

20. Assumption Greek Orthodox Cathedral (Glendale)—On May 20, 1990, two skinheads spray-painted anti-semitic slogans on the outside wall of this house of worship, believing the building to be a synagogue. The two pled guilty to state charges. This investigation is closed.

## DELAWARE

21. B'nai Israel (Wilmington)—On May 7, 1995, this synagogue was burned.

22. Slaughter Neck Methodist (Milford)—On May 2, 1996 this church was burned. This fire was determined to be accidental.

## FLORIDA

23. Church of Christ (Gainesville)—On October 22, 1991, this church was burned. Arrest made.

24. United Church of Gainesville (Gainesville)—On October 22, 1991, this church was burned. Arrest made.

25. North Central Baptist (Gainesville)—On October 22, 1991, this church was burned. Arrest made.

26. Church of Christ (Gainesville)—On October 23, 1991, this church was burned. Arrest made.

27. First Baptist.

28. First Presbyterian (Ocala)—On October 24, 1991, these two churches were burned. Arrest made.

29. First Lutheran (Gainesville)—On October 25, 1991, this church was burned. Arrest made.

30. Mirror Lake Christian (Tampa)—On October 30, 1991, this church was burned. Arrest made.

31. First Church of Christ.

32. McDowell Baptist (St. Augustine)—On November 7, 1991, these two churches were burned. Arrests made.

33. First Baptist (Jacksonville)—On November 8, 1991, this church was burned.

34. St. Augustine (Gainesville)—On November 12, 1991, this church was burned. Arrest made.

35. St. Helen's Catholic Church (Verro Beach)—On December 19, 1991, this church was burned.

36. Tabernacle Pentecostal (Homestead)—On December 23, 1991, this church was burned.

37. St. Mary's Missionary (Mims)—On December 29, 1991, this African-American church was burned. Arrests made.

38. St. Francis Episcopal (Tampa)—On January 23, 1992, this church was burned.

39. Grace United Methodist (Gainesville)—On June 26, 1992, this church was burned.

40. Holy Trinity Episcopal (Gainesville)—On June 26, 1992, this church was burned. Arrest made.

41. First Baptist (Hudson)—On July 26, 1992, this church was burned. Arrest made.

42. Blessed Trinity Catholic (Ocala)—On September 3, 1992, this church was burned. Arrest made.

43. St. Judes United (St. Petersburg)—On January 31, 1993, this church was burned.

44. First Born Church (Tallahassee)—On May 6, 1995, this church was burned. Arrest made.

45. Evangelistic Temple Church of God (Mariana)—On June 12, 1996, an associate pastor discovered two burn marks on a pew in this African-American church (approximately \$300 damage).

## GEORGIA

46. Trinity Methodist (Savannah)—On October 7, 1991, this church was burned.
47. Holy Church of God (Savannah)—On January 26, 1994, this African-American church was burned.
48. Springfield Baptist Church.
49. Elam Baptist Church (Madison)—On July 20, 1994, the Springfield church (African-American) was completely destroyed by arson and the Elam church was also burned. These matters were investigated by state and local officials, and four males were convicted of burglary and arson and sentenced to 20 years in prison.
50. Gays Hill Baptist Church (Jenkins County)—On March 27, 1996, this African-American church located in a rural area of Jenkins County was totally destroyed by fire.
51. Pine Lake Baptist Church (DeKalb County)—On June 17, 1996, this church was burned.

## IDAHO

52. Second Baptist Church (Fort Dodge)—On August 15, 1993, a cross was burned in the yard of this African-American church.

## ILLINOIS

53. Temple Am Echod (Waukegan)—One defendant was sentenced to 110 months in prison for conspiring to interfere with the rights of black and Jewish citizens stemming from the June 1992, bombing of a roller rink frequented by black patrons and the vandalism of this synagogue. This case is closed.
54. 14335 Marshfield (Dixmoor)—On August 24, 1994, this African-American church was burned.
55. Islamic Society of Greater Springfield Masjid (Springfield)—On June 6, 1995, this Islamic center was burned. The investigation is closed.
56. Charleston Community (Charleston)—On August 9, 1995, this church was burned.
57. Revival Center (Chicago)—On November 7, 1995, this African-American church was burned.
58. First Baptist Apostle (Chicago)—On January 8, 1996, this African-American church was burned.
59. Oak Forest Baptist Temple (New Pilgrim) (Oak Forest)—On May 1, 1996, this predominantly African-American church was vandalized with racist graffiti.

## INDIANA

60. St. Mary's Catholic (Ft. Wayne)—On September 2, 1993, this church was burned.
61. Free Holiness (Crown Point)—On May 2, 1994, this church was burned.

## KENTUCKY

62. Barren River Baptist (Bowling Green)—On June 8, 1992, this church was burned. Arrest made.
63. Corinthian Baptist Church (Newport)—On January 10, 1993, racial slurs were painted on this church. No subjects could be identified and this investigation was closed.
64. Harlow Chapel (Barren County)—On June 5, 1994, this African-American church was burned.
65. Pleasant Rocky Baptist Church (Butler County)—On June 17, 1994, this church was burned.
66. Cash Creek Baptist Church (Henderson)—On April 10, 1996, this church was totally destroyed by fire resulting in total damage of \$262,000.

## LOUISIANA

67. Harvester (Rogers)—On October 29, 1991, this church was burned.
68. Progressive Baptist (New Orleans)—On July 3, 1992, this African-American church was burned. Arrest made.
69. Sacred Heart Catholic (Lacombe)—On September 11, 1993, this church was burned. Arrest made.
70. Starlight Baptist Church (Morganza)—On October 16, 1993, a cross was burned at this church.

71. Assembly of God (Westwego)—On April 15, 1995, this church was burned. Arrest made.

72. Cypress Grove Baptist Church.

73. St. Paul's Free Baptist Church.

74. Sweet Home Baptist Church.

75. Thomas Chapel Benevolent Society (Zachary and East Baton Rouge)—On February 1, 1996, these four African-American churches, located within a six mile radius of each other, were burned, resulting in partial destruction to Cypress Grove and minimal damage to the other three churches.

76. St. Charles Baptist Church (Paincourtville)—A fire occurred at this African-American church on April 11, 1996.

#### MAINE

77. Sacred Heart Catholic (Portland)—This church was burned on June 14, 1996.

#### MARYLAND

78. Celestial (Hyattsville)—On January 13, 1993, this African-American church was burned.

79. Seventh Day Adventist (Frederick)—On February 28, 1993, this church was burned.

80. Fruitland First Baptist Church (Fruitland)—On January 30, 1996, this church was burned causing an estimated \$150,000 in damage.

81. William Watters Meeting House of the Society for Friends (Quakers) (Bel Air)—On March 21, 1996, this Quaker church was burned.

#### MASSACHUSETTS

82. Epiphany (Walpole)—On October 19, 1991, this house of worship was burned.

83. Fellowship Baptist (Hanover)—On November 6, 1992, this church was burned.

84. Holy Ghost (Whitman)—On February 5, 1994, this church was burned. Arrest made.

85. Calvary Baptist (Lawrence)—On April 3, 1994, this church was burned. Arrest made.

86. Temple Beth Emunah (Brockton).

87. Temple Young Israel (Randolph)—In June 1994, four defendants, members of a racist Skinhead group were charged in federal court with conspiring to interfere with the rights of African-American and Jewish individuals. One defendant later pled guilty and the three juveniles were convicted in connection with the desecration of two synagogues and other acts of harassment. The four defendants were sentenced to terms of incarceration ranging from 4 to 46 months. These cases are closed.

#### MICHIGAN

88. Islamic Center (East Lansing)—On August 20 or 21, 1995, a rock with a threatening note was thrown through a window of the Islamic Center. On August 29, 1995, a bottle of lighter fluid was found next to the building with another threatening note.

89. New Hope Missionary Baptist Church (Wayne)—On an unknown date in May, 1996, racist stickers were placed on the outside of this predominantly African-American church.

#### MISSISSIPPI

90. Springhill Baptist Church.

91. Rocky Point Missionary Baptist Church (Amite County and Pike County)—Three defendants pled guilty to federal conspiracy charges arising from the arson of two African-American churches in April of 1993 on the anniversary of the assassination of Dr. Martin Luther King. The defendants were sentenced to 46 months and 37 months in prison.

92. Cistern Hill Church (Como)—On August 9, 1994, the Cistern Hill Church, a semi-rural church with a predominantly African-American congregation, was completely destroyed by fire.

93. New Life Christian Church.

94. Triumph Church (Vicksburg)—In March 1995, these racially mixed churches were vandalized.

95. St. Paul's Christian Methodist Episcopal Church (Smithville)—A fire causing nominal damage to an African-American church occurred on March 5, 1996.

96. Mount Zion Baptist Church (Ruleville)—On March 20, 1996, a fire inside this African-American church resulted in the burning of two church pews and extensive smoke damage.

97. Krone Baptist (Rankin County)—On March 25, 1996, this African-American church was burned. This fire was determined to be accidental.

98. Elbethel M.B. Church (Satartia)—On March 30, 1996, an African-American church under construction was burned resulting in minor damage. Local charges have been filed.

99. St. Paul Primitive Baptist Church (Meridian)—On April 7, 1996, this African-American church was totally destroyed by fire. Investigators determined the fire was caused by a cigarette and have ruled the fire accidental. This investigation is closed.

100. Mount Pleasant Church (Mount Missionary).

101. Central Grove M.B. Church (Kossuth)—On June 17, 1996, these African-American churches were burned.

#### MISSOURI

102. Church of Christ (West Plains)—On January 21, 1990, a cross was burned up against the front porch of this predominantly African-American church. Successful local prosecution. This investigation is closed.

#### MONTANA

103. Church of Latter Day Saints (Butte)—On November 2, 1992 this church was burned.

#### NEBRASKA

104. Friends United Church (Goehner)—On June 16, 1996, this church was burned. The fire was ruled accidental.

#### NEVADA

105. Our Lady of Las Vegas (Las Vegas)—On June 16, 1996, this church was burned.

#### NEW JERSEY

106. Islamic Center of Passaic County (Paterson)—On September 16 and 17, 1995, this Islamic Center was vandalized with hate graffiti.

107. Voice Center Baptist Church (Tinton Falls)—On February 13, 1996, the interior of this predominantly African-American church was completely destroyed by fire.

#### NEW MEXICO

108. Bryce Presbyterian (Los Alamos)—On March 2, 1992, this church was burned.

109. Indian Hills Baptist (Silver City)—On June 13, 1994, this church was burned.

110. Indian Hills Baptist (Silver City)—On June 16, 1994, this church was burned.

111. Bernalillo Baptist (Albuquerque)—On March 27, 1996, this church was burned.

#### NEW YORK

112. Bishop Grimes High (East Syracuse)—On February 27, 1992, this structure was burned. Arrests made.

113. Our Lady of God (Warners)—On February 29, 1992, this church was burned. Arrest made.

114. Community Baptist (Inwood)—On February 27, 1993, this church was burned.

115. Congregation Derech (Rockaway)—On July 12, 1994, this synagogue was burned. Arrest made.

116. Young Israel (Far Rockaway)—On September 14, 1994, this synagogue was burned. Arrest made.

117. Ikhwa Mosque (Brooklyn)—On October 25, 1994, this mosque was allegedly firebombed. This investigation is closed.

118. Temple Beth El (Rockaway)—On January 13, 1995, this synagogue was burned. Arrest made.
119. Temple Derech Emuch (Rockaway)—On April 30, 1995, this synagogue was burned. Arrest made.
120. Yeshiva of Belle (Belle Harbor)—On May 6, 1995, this Jewish center was burned. Arrest made.
121. St. Edmunds Catholic (Breezy Point)—On June 15, 1995, this church was burned.
122. St. Edmunds Catholic (Breezy Point)—On June 21, 1995, this church was burned.
123. Church of Jesus Christ (Glenville)—On March 5, 1996, this church was burned.
124. River View Missionary (Kingston)—On April 19, 1996, this African-American church was burned.
125. Seventh Day Adventist Church (Queens Village)—On June 17, 1996, "KKK" was burned into the lawn and a swastika was scrawled on the plastic casing of the sign of this African-American church.

## NORTH CAROLINA

126. Moores Chapel Baptist Church (Boger City)—On July 4, 1990, this African-American church was burned causing approximately \$2,000 in damage. A local prosecution resulted in two convictions. One defendant was sentenced to nine years in prison while the other was sentenced to two years in prison.
127. West Burlington (Burlington)—On April 21, 1992, this church was burned.
128. Browns Chapel (Wilson)—On December 2, 1994, this African-American church was burned.
129. Mount Moriah Baptist Church (Efland)—On December 25, 1995, this African-American church was burned.
130. Ohova Ame (Orrum)—On January 6, 1996 this African-American church was burned.
131. Hebron United Methodist (Vail)—On April 26, 1996, this church was burned.
132. Mt. Tabor Baptist Church (Cerro Gordo)—On May 22, 1996, this predominantly African-American church was burned.
133. Pleasant Hill Baptist (Lumberton)—This African-American church was burned on May 24, 1996.
134. Matthews-Murkland Presbyterian Church (Charlotte)—This African-American church was set afire either late in the night June 6, 1996 or early in the morning of June 7. The entire historic frame building was gutted. The church building was not in use. An arrest has been made.
135. Hills Chapel (Rocky Point, Pender County)—On the morning of June 17, 1996, this predominantly African-American church was burned.

## OHIO

136. First United Methodist (Akron)—On April 29, 1994 this church was burned.

## OKLAHOMA

137. St. Pauls Methodist (Muskogee)—On December 25, 1991, this church was burned.
138. First Missionary Baptist (Enid)—On June 12, 1996 this African-American church was burned. An arrest has been made.

## PENNSYLVANIA

139. Community Presbyterian (Ben Avon)—On October 22, 1991, this church was burned.
140. Rising Sun Baptist (Philadelphia)—On January 28, 1994 this African-American church was burned.
141. Glenwood United Methodist (Smithton)—On June 4, 1995, this church was burned.
142. Church of the Mediator (Allentown)—On June 17, 1996, this church was burned. This fire was determined to be accidental.

## SOUTH CAROLINA

143. Mt. Zion A.M.E. Church (Greeleyville).
144. Macedonia Baptist Church (Clarendon City)—These African-American churches burned on June 20 and 21, 1995. Two subjects have been arrested.

145. St. John Baptist Church (Dixiana)—In August 1995, this predominantly African-American church was completely destroyed by fire. A juvenile and two adults, age 18 and 19, were charged with state arson charges.

146. Islamic Center (Greenville)—On October 21, 1995, this mosque was burned.

147. St. Paul A.M.E. Zion (Harleyville)—On January 25, 1996, this African-American church was burned.

148. Church (name unknown) (Kingstree)—On April 11, 1996, an African-American church was burned.

149. Mount Olivet Baptist Church.

150. Allen's Chapel.

151. Rosemary Baptist Church (Barnwell County)—Fires occurred at these three churches, including one African-American church (Rosemary Baptist), on April 13, 1996. The pulpit at the predominantly African-American Rosemary Baptist Church was completely destroyed.

152. Effingham Baptist Church (Effingham)—On April 26, 1996, this 114-year-old African-American church was burned. As a result, the sanctuary was completely destroyed and the meeting hall was partially damaged.

153. Lexington Presbyterian (Lexington)—On June 8, 1996 this church was burned. This fire was determined to be accidental.

#### TENNESSEE

154. West End Synagogue (Nashville)—Three defendants, including the Grand Dragon of the Tennessee Ku Klux Klan, a Klan and Aryan Nation associate and a juvenile Skinhead member, were charged federally with conspiring to interfere with the rights of Jewish individuals by firing shots into a synagogue that caused significant property damage in June 1990. Two of the defendants pled guilty and the third was convicted at trial. Two of the defendants were sentenced to 27 months and 42 months in prison while the juvenile defendant received probation. This case is closed.

155. St. Johns Episcopal (Knoxville)—On October 9, 1992 this church was burned.

156. Pilgrims Hope Baptist (Memphis)—On December 26, 1992 this African-American church was burned. Arrest made.

157. Heartland Little (Townsend)—On January 6, 1993 this church was burned.

158. New Wright's Chapel Missionary Baptist Church (Shelby County)—On September 6, 1994, a fire burned this African-American church.

159. Arlington Church of Christ (Arlington)—In January, 1995, this church was burned.

160. Macedonia Missionary Baptist Church (Fruitvale).

161. Johnson Grove Baptist Church (Madison County)—On January 13, 1995, during the Dr. Martin Luther King, Jr., holiday weekend, both African-American churches were totally destroyed by fire.

162. Mt. Calvary Baptist Church (Hardeman County)—On January 31, 1995, this African-American church burned and was partially destroyed by fire.

163. Friendship Missionary Baptist Church.

164. Canaan African Methodist Episcopal Church (Maury County)—Three defendants pled guilty in October of 1995 in federal court to conspiring to firebomb and either burn or erect crosses at these two African-American churches in February 1995. One defendant was sentenced to 57 months in prison while the two other defendants were sentenced to 46 months in prison. These cases are closed.

165. St. Mary's Episcopal School (Shelby County)—On October 16, 1995, this building was burned.

166. Holy Communion School (Shelby County)—On November 30, 1995, this school was burned.

167. United Methodist Church (Shelby County)—On December 5, 1995, this church was burned.

168. Emmanuel United Methodist (Shelby County)—On December 8, 1995, this church was burned.

169. Salem Baptist Church (Fruitland)—On December 30, 1995, fire partially destroyed this African-American church.

170. Inner City Church (Knoxville)—On January 8, 1996, the sanctuary of this African-American church was destroyed by fire, and racial slurs were spray painted on the doors and walls.

171. Emmanuel Bnai Noah (Athens)—This house of worship was burned on March 25, 1996. The fire was determined to be accidental.

172. Calvary Baptist Church.

173. Shady Grove Presbyterian (Shelby County)—On April 20, 1996, these churches were burned.



174. Friendship Baptist Church (Greenville)—On April 26, 1996, racist graffiti was spray-painted on this African-American church.

175. Mt. Pleasant Baptist Church (Tigrett)—On May 14, 1996, this African-American church was burned.

176. First United Pentecostal (Brownsville)—This church was burned on May 28, 1996. The fire was determined to be accidental.

## TEXAS

177. Mi Casa de Oracio (Dallas)—On September 16, 1992, this church was burned. Arrest made.

178. Pleasant Ridge (Arlington)—On November 10, 1992, this church was burned.

179. New Life Christian (Dallas)—On July 22, 1993, this African-American church was burned. Arrest made.

180. Weaver Chapel (Bristol)—On March 13, 1994, this church was burned. Arrest made.

181. First Korean Presbyterian (Garland)—On September 2, 1994, this church was burned.

182. Marble Falls United (Marble Falls)—On April 4, 1995, this church was burned. Arrest made.

183. Fellowship Bible (Plano)—On July 25, 1995, this church was burned.

184. Cypress Trails United Methodist Church.

185. Resurrection Lutheran Church (Spring)—On January 27, 1996, these two churches, located approximately five miles apart, burned.

186. Kingdom of God in Christ (Dallas)—On February 10, 1996, a hole was punched into the back of this racially mixed church. Silverware and furniture were stolen, obscenities, racial epithets, and references to KKK were written on the walls.

187. Church of God in Christ (Dallas)—On April 6, 1996, this African-American church was burned. This fire was determined to be accidental.

188. Covenant Baptist (Hillsboro)—On April 18, 1996, this church was burned.

189. Heights Christian Church, Lambert Hall (Houston)—On April 19, 1996, Lambert Hall, a building owned by Heights Christian Church, was burned causing extensive damage.

190. New Life Missionary Baptist Church (Houston)—Between April 28 and May 2, 1996, this African-American church was forcibly entered and vandalized. Racial epithets were spray painted in the church.

191. New Light House Church of Prayer (Greenville)—On June 9, 1996, this predominantly African-American church was burned. Local arrests have been made.

192. Church of Living God (Greenville)—On June 10, 1996, this predominantly African-American church was burned.

193. Our Lady of Lourdes (Hitchcock)—On June 16, 1996, this church was burned.

194. Oakwood Baptist Church (Dallas)—On June 17, 1996, this church was burned.

## UTAH

195. Church of Jesus Christ of Latter-Day Saints (Davis County)—On March 1, 1993, and continuing through the spring of 1993, vandalism targeted at Mormon churches as well as random vandalism in several neighborhoods occurred. Windows and doors were broken and satanic graffiti was spray painted. Successful local prosecution.

196. Templo Casa De Oracion (Salt Lake City)—On March 28, 1996, this church was burned.

## VIRGINIA

197. Lebanon Baptist Church (Richmond)—On September 5, 1993, racial and satanic messages were painted on this church and two cemetery head stones were destroyed.

198. Tikvat Israel (Richmond)—On February 14, 1994, this synagogue was burned.

199. Korean Baptist Church.

200. St. Mary's Catholic Church.

202. St. Clare's Mission Church (Fairfax)—On November 6 or 7, 1994, these churches were vandalized and spray-painted with hate slogans. Successful local prosecution.

202. Galilee Baptist Church (Appomattox)—On February 11 and 26, and April 4, 1995 this predominantly African-American church was desecrated.

203. Grayland Baptist (Richmond)—On February 3, 1996 this African-American church was burned. This fire was determined to be accidental.

204. Glorious Church of God in Christ (Richmond)—On February 21, 1996, this African-American church was destroyed by fire resulting in damage in excess of \$250,000.

205. Denbigh Assembly of God (Newport News)—On May 1, 1996, this church was burned. This fire was determined to be accidental.

#### WASHINGTON

206. Ebenezer African Methodist Church (Seattle)—In November 1991, a racially mixed church located in a predominantly African-American area was significantly damaged by fire. Arrest made.

207. St. James Cathedral (Seattle)—On March 7, 1992, this church was burned. Arrest made.

208. Unity (Seattle)—On October 3, 1992, this church was burned. Arrest made.

209. Living Waters Christian (Lynnwood)—On October 7, 1992, this church was burned. Arrest made.

210. Living Center Christ (Lynnwood)—On October 7, 1992, this church was burned. Arrest made.

211. Grace Pentecostal Church of God in Christ (Bremerton)—On July 19, 1993, racial epithets were spray-painted on the front of this church. Successful local prosecution.

212. Full Gospel Pentecostal Church (Seattle)—On July 28, 1995, a racially mixed church located in a predominantly African-American area was destroyed by fire.

213. Whidbey Island Naval (Oak Harbor)—On January 21, 1996, this church was burned.

214. Our Most Sorrowful Mother Catholic Church.

215. Community Evangelical Church (Soap Lake)—On June 10, 1996, Our Most Sorrowful Mother Catholic Church was burned and destroyed by fire. Damage is in excess of \$90,000. On June 14, 1996, the Community Evangelical Church was burned and received minor damage estimated at less than \$1,000. An arrest has been made.

216. Eritrean Community Church (Seattle)—On June 15, 1996, there was a fire at this African-American church. The fire reportedly began by someone holding a flame to trash which was adjacent to the church building while the congregation was in the church. There was approximately \$20,000 damage to the building.

The CHAIRMAN. Well, thank you so much, Senator. We appreciate the work that both of you have done and we are certainly going to continue to push this bill through the Congress, and hopefully all of us will be more aware of what we need to do as citizens in this country and I think your bill is enlightening everybody in that regard. So thank you so much. We appreciate both of you being here.

Our second panel consists of the following individuals: Deval L. Patrick, Assistant Attorney General for Civil Rights of the U.S. Department of Justice. We welcome you, Mr. Patrick. We really look forward to hearing your testimony. The Honorable James E. Johnson, Assistant Secretary for Enforcement at the U.S. Department of the Treasury—Mr. Johnson, we likewise welcome you. We look forward to hearing what you have to say.

I ask that all statements be limited to approximately 5 minutes, if we can. We will certainly give a little leeway here. We will also limit rounds of questions to 5 minutes each as well.

So we appreciate having both of you here. Welcome. We look forward to hearing from you. Mr. Patrick, we will go with you first.

**PANEL CONSISTING OF DEVAL L. PATRICK, ASSISTANT ATTORNEY GENERAL, CIVIL RIGHTS DIVISION, U.S. DEPARTMENT OF JUSTICE; AND JAMES E. JOHNSON, ASSISTANT SECRETARY FOR ENFORCEMENT, U.S. DEPARTMENT OF THE TREASURY**

**STATEMENT OF DEVAL L. PATRICK**

Mr. PATRICK. Mr. Chairman, Senator Biden, and members of the committee, we do appreciate the opportunity to appear this morning to discuss the work of the Departments of Justice and Treasury and the other Federal agencies and the National Church Arson Task Force in response to attacks on places of worship.

My cochair of the task force, Assistant Treasury Secretary Jim Johnson, and I have a joint written statement that we ask be made a part of the record and I will try to summarize that now.

The CHAIRMAN. Without objection, we will put all complete statements in the record.

Mr. PATRICK. Thank you. The way we thought we would divide this is that I would give the committee an overview of the Government's enforcement efforts and then Secretary Johnson will discuss our prevention efforts and some of the ideas that are being addressed.

The CHAIRMAN. OK, that would be fine.

Mr. PATRICK. First and foremost, on behalf of the administration and the entire broad community of people of good will, I want to commend the Senate for its quick and decisive action in passing the legislation just referred to to enhance the ability of the Department of Justice to prosecute these cases.

Passing the bill sponsored by Senator Faircloth and Senator Kennedy, and doing so unanimously, as the House did last week, demonstrates the universal embrace of the issue and illustrates the strong bipartisan consensus that addressing this problem required, in part, strengthening the law.

The bills, as passed by the Senate and the House, respond to the limitations in our existing statutory authority that I outlined before the House Judiciary Committee last month. There is a fuller discussion of these issues in our written statement. For now, I would just like to thank you for the legislation and for the spirit and the speed in which it was passed.

Mr. Chairman, the problem warrants unity because the numbers are chilling. Our best information to date indicates that the Federal Government has investigated some 243 incidents of attacks on houses of worship since the beginning of 1990. More than half of those 243 incidents occurred in the past 18 months, and half of those have been attacks on black churches, most in the southeast.

Attacks on white churches, synagogues, and mosques, are and will continue to be the subject of investigation and prosecution. Indeed, there has been a notable increase in attacks on white churches in the last 18 months as well, but the number of reported fires and other attacks on black churches has been particularly dramatic, especially in the southeast. Indeed, we have concerns that the universe of incidents may be even larger than this and we are taking steps to determine the exact scope of the problem now.

Our objective is to find and prosecute those responsible for each one of these fires, to determine whether they are motivated by racial or religious hostility, and to determine whether there is any link between some or all of the incidents. With well over 200 FBI and ATF investigators working together with State and local authorities, this is, and for some time has been our largest current Federal civil rights investigation and one of the largest Federal criminal investigations of any kind. Indeed, I think it is true that this is one of the largest arson investigations in American history.

In an investigation of this size and scope, coordination among Federal agencies and between State and Federal law enforcement is essential. In order to bring together all necessary investigative and prosecutive resources from whatever appropriate source when an incident occurs, law enforcement agencies, whether Federal, State, or local, must cooperate rather than compete.

To that end, the President has formed a national task force to oversee the conduct of these investigations, as you know. Mr. Johnson and I cochair that. Senior officials of the FBI and ATF also participate. The U.S. attorneys' offices, the U.S. Marshals Service, law enforcement coordinating committees, victim witness coordinators, and the Community Relations Service [CRS] also participate on this task force. In fact, the addition of the CRS, which is the Government's official domestic peacekeepers, is an especially valuable addition to this work.

The purpose of the national task force is to assure coordination of all aspects of the investigation and prosecution of cases arising out of these attacks, and to recommend other actions the Government can take to stop the rash of fires. The duties of the task force range from evaluation of needs and deployment of resources to development of an integrated computer database to analyze leads, to outreach and education to congregations and communities on security and prevention.

Within a few days after being formalized, we called in all U.S. attorneys and the FBI and ATF supervising agents—I see the red light is on, but I don't have very much more—

The CHAIRMAN. You are OK. You keep going.

Mr. PATRICK [continuing]. From the southeast region who had fires in their districts to emphasize the importance of pursuing these cases with vigilance and dispatch, as well as sensitivity to the needs and concerns of the victims. In response to that feedback and some of the concerns raised by pastors whose churches had been burned, the task force will soon distribute a written protocol on the conduct of the investigations.

The national task force tracks and advises on the development of specific cases through a working group supervised by a senior experienced prosecutor in the Civil Rights Division. In addition, the task force has established a number of other working groups to address issues of outreach and training, among others. The task force reports to the President weekly through the Attorney General and the Secretary of the Treasury.

The principal task of investigating and prosecuting individual crimes will be and should be handled locally. Many U.S. attorneys have already formed local task forces within State and local law enforcement. Tennessee and South Carolina have good examples of

these right now. The Attorney General has directed all U.S. attorneys to do so immediately, if he or she had not already done so.

Each local task force includes State and local law enforcement and fire protection officials, as well as representatives of the ATF, the FBI, the U.S. Marshals Service and, where appropriate, Community Relations Service. Victims witness coordinators are also to be made a part of each local task force. Several State attorneys general have expressed interest in participating as well.

Once Federal authorities are notified of incidents by local fire or police departments, ATF and FBI will be dispatched to the scene immediately to assist local authorities and coordinate on the scene. ATF and FBI then can most effectively address the forensic and investigative aspects of the incident. On-scene commanders will determine whether specialized manpower or equipment is needed from either agency or any source, for that matter.

The local task force members will have access to a centralized national computer database which will blend the FBI's and the ATF's computer systems to generate leads. We will also have victim witness specialists on the scene who can address concerns of people in the community about what the investigation entails.

I just want to mention that in partnership with State and local counterparts, we have solved and successfully prosecuted a number of church arsons and desecrations over the past few years. More than a third of the 243 incidents investigated since 1990 have been resolved mainly by a combination of Federal and local arrests and prosecutions.

We have made arrests in 11 cases in the South since 1995. Just last week, arrests were made in connection with fires at four incidents in North and South Carolina and in Virginia. Three individuals have been convicted on Federal conspiracy charges in the case of the two churches in Maury County, TN—Senator, you may be familiar with those—and very significant sentences obtained in those cases.

The ATF and the FBI have been working closely with State and local law enforcement on most of these cases. Indeed, in the cases in Tennessee, as well as in South Carolina, those arrests have been made in cooperation with State and local law enforcement, and this cooperation has got to continue.

Finally, on a couple of points that continue to come up about these incidents generally, racial hostility is driving many of these fires, not all, but many. Other motives are also being explored. Our instructions to the investigators and prosecutors are to be complete professionals, to follow every lead to its logical end, and to follow the evidence wherever it may go.

Many have also raised questions of conspiracy. Because so many of the investigations are still open, there is little we can say beyond the fact that we are actively exploring that angle in many of the open cases. Among those solved, it is clear that some in small numbers, at least, are connected, and there still is an open question whether there is a group or groups or individuals responsible for devising a larger criminal plan.

Mr. Chairman, the President has worked very hard in recent weeks to focus national attention on church arsons through a variety of means. His radio address, his trip to South Carolina, his

meeting last week with Southern Governors and yesterday morning with religious leaders to share information and exchange ideas are some examples of that.

As I said earlier, the legislative response of this Congress has been magnificent, and the leadership and tenacity of the National Council of Churches and the Center for Democratic Renewal has been an important spur. With your help and the support and commitment of all American people of good will, I am convinced we cannot and will not fail.

Thank you very much.

The CHAIRMAN. Thank you, Mr. Patrick.

Mr. Johnson, we will take your testimony now.

#### STATEMENT OF JAMES E. JOHNSON

Mr. JOHNSON. Thank you, Mr. Chairman. Mr. Chairman, Senator Biden, members of the committee, I want to thank you also for giving us this opportunity to appear before you to report on our progress in combating this most serious series of crimes. Clearly, the President has made it a high priority to do all that we can to bring those responsible for these crimes to justice, to prevent additional crimes, and to rebuild those churches that have been burned down. We have all been heartened by the bipartisan support for these efforts.

The kind remarks about the ATF and the FBI have been particularly appreciated. Both Mr. Patrick and I have spoken at great length with agents in the field, with the U.S. attorneys, and have come away from those conversations with a strong sense of their impression of your support.

As many of you know, arson investigations are difficult; they are tedious enterprises. The task is made difficult because of the destruction of the evidence, often complete destruction of the evidence at the scene of the crime, and frequently the unavailability of any eyewitnesses. Nevertheless, we are proceeding with dispatch as we try to investigate these crimes with the support of State and local law enforcement.

The agents involved in the investigations are deeply affected by these crimes. Many of them live in the communities where the churches have been burned. Many of them worship or have worshipped with the affected congregations. For example, just 10 days ago I spoke with a special agent out in Oklahoma, Enid, OK. It was a late-night call. He was calling to brief me on what had happened at the fire and to tell me about an imminent arrest, which they made shortly after the fire.

During the course of that conversation, he told me that it was obviously a horrible, horrible crime, but the church—in fact, the fire he was investigating had personal impact on him because he had been a person who had actually helped bring in pews to the church when the church was built some 10 years ago. There are many, many stories like this among the agents in the field, and their commitment to solving these crimes is profound.

Mr. Patrick and I both know the importance of the African-American church from our own experience to our community and to the Nation. Just last night, I learned a little bit personally of what it means to be burned out of an institution that is important to you.

Obviously, empathy is not enough; kind words are not enough. We know that we have much work to do with respect to many of these communities about how we conduct our investigations. A few weeks ago, we met with ministers from many of the churches who were affected by these crimes. They met with the Attorney General and with Secretary Rubin, as well as with Mr. Patrick and with me, and what they told us was in many respects harrowing. They told us stories of devastation, stories of tremendous loss, but also stories that gave us a tremendous amount of concern because they spoke about perceived insensitivity on the part of our agents. So we know that we have a tremendous amount of work to do.

We know that we need to make sure that our investigations are conducted with sensitivity, one, because, of course, it is the right thing to do, and, two, if we don't have the support of the communities that are affected by these crimes, we cannot do our jobs. We can't gather evidence if we are faced with doors that are closed. We can't proceed with prosecutions if witnesses are reluctant to come forward because they don't have confidence in Federal or State law enforcement.

We are embarking on significant outreach efforts, as Mr. Patrick alluded to, to address this problem. As part of our outreach and as an effort to bridge the gap and encourage people to come forward, we have instituted a toll-free number, which many of you are aware of, and as of a week ago we had received well over 700 calls with information and comments from citizens who otherwise wouldn't step forward to bring the information to our attention, and this is an effort that we are going to continue.

As much as we want to solve these crimes, as much as we want to bring the persons to justice who are responsible for these crimes, we want to see churches stop burning, we want these fires to end, and the administration and the task force are committed to embarking on whatever prevention efforts we can undertake to combat this problem.

As part of this effort, the ATF has prepared a pamphlet, a copy of which I have brought with me today, which we are distributing, with the assistance of many, many others, to churches throughout the affected areas to advise them of the steps that they need to take, steps that they can take to protect themselves and to prevent additional arsons.

We are working closely with State and local authorities as part of these task forces to get their input on prevention efforts because we know that they are the frontline in the prevention efforts. FEMA also has played a very significant role and will play a significant role in this task force. They will form a clearinghouse for getting the arson prevention information out to the public and out to the churches.

These are obviously to all of us very serious crimes. One would have to be a stone not to be moved by the sight of a burned church. We are committed, and the Federal Government, all elements of the Federal Government, clearly, to combating these crimes. Clearly, we are going to continue to work and cooperate with State and locals who are on the frontlines on these crimes and do whatever we can to bring this epidemic to a close.

Thank you.

The CHAIRMAN. Well, thank you. We appreciate both of you appearing.

Senator Grassley, because of press of business, had to leave and he asked me to ask the following question on his behalf. Over the last few years, how many black churches have been burned and how many white or not ethnically identifiable have been burned over the same period, if you could give me that information?

Mr. PATRICK. The last few years?

The CHAIRMAN. Over the last years, whatever period you would like to define.

Mr. PATRICK. I can give you what our best sense of the information is now.

The CHAIRMAN. Sure.

Mr. PATRICK. But as I indicated earlier, we have reason to believe that we don't yet have a grasp of the whole universe of the problem. In the period since January 1995, if I can use that as a time period, we have 145 incidents of fires or desecrations, attacks on houses of worship, overall, of which a little bit better than half have been African-American churches primarily in the southeast, not entirely. That represents a change from patterns over the previous several years.

As I suggested in the opening statement, that 18-month period represents half of all of the incidents we are aware of under Federal investigation the previous 6 years. So the first 4½ years and the last 18 months represent 2 halves of the total, and the increase in attacks on black churches has been particularly precipitous in that time period. But we have both white and black churches and synagogues and mosques under investigation as well.

The CHAIRMAN. Well, thank you. Many Americans—

Senator HEFLIN. Mr. Chairman, I think you have to look at the total number to have something accurate from that, wouldn't you?

Mr. PATRICK. In the context of all the churches, you mean?

Senator HEFLIN. Yes. I mean, how many churches?

Mr. PATRICK. That is right, that is right, and the point is fair. The impact—I actually don't have at my disposal the number of white churches as compared to the number of black churches either nationally or regionally. I do know that the number of white churches is exponentially greater than the number of black churches, so that, if you will, a proportion—is this to your point, Senator Heflin?

Senator HEFLIN. Well, if you are going to say that there are 10 black churches and 11 white churches, is it 21 or is the whole total number of existing churches 7,000?

Mr. PATRICK. Right, right.

The CHAIRMAN. OK. Many Americans are naturally concerned whenever you have a series of similar crimes committed at different localities, and especially when many of those crimes appear to be targeted at identifiable individuals or a group, such as African-Americans. Whether these acts may be the work of some group or organization, to the extent you can comment, naturally, without compromising any ongoing criminal investigation, please tell us if Federal law enforcement agencies have any evidence that any group or organization is responsible for or has aided or encouraged attacks on black or other churches.



Mr. PATRICK. I think probably I had better not comment on that. What I can say is that it is clear from many of the cases where there have been arrests and convictions that racial or religious animus is driving the act, is driving the crime.

The CHAIRMAN. So there may be some organizations? Can you comment generally that there may be an organization or some organizations?

Mr. PATRICK. What I can say is that we are actively investigating that.

The CHAIRMAN. OK, I will live with that. With respect to these church burnings, have local law enforcement officials been cooperative in helping you resolve these problems?

Mr. PATRICK. On the whole, I think very much so.

The CHAIRMAN. OK.

Mr. PATRICK. You know, there are always bumps and we have been actively working those out, but I don't sense any lack of resolve among local law enforcement.

The CHAIRMAN. That is great, and just one last question by me because my time is just about up. Do your agencies, including the Federal Bureau of Investigation and the Bureau of Alcohol, Tobacco and Firearms, have adequate resources to investigate these burnings? What do you think? You can answer for the FBI and you can do it for ATF.

Mr. PATRICK. OK. What we have said from the beginning is that we had concerns about whether the level of intensity could be sustained over the amount of time that it often takes to solve an arson case because of the particular difficulties of that. I think that we have addressed that now by a variety of commitments to reallocate existing resources. The extent to which the administration is going to have to come back with some sort of amendment to the budget that is submitted for 1997, I think, is under active review now at OMB.

The CHAIRMAN. OK, thank you. My time is up.

Mr. JOHNSON. With respect to the ATF—

The CHAIRMAN. Oh, I am sorry, excuse me. Go ahead.

Mr. JOHNSON. With respect to the ATF, we have asked for a \$20 million supplemental increase to our budget to address these problems. This should, given the current pace of the work, be sufficient.

The CHAIRMAN. All right. Thank you for that.

We are going to give 5 minutes per Senator, so I hope we will abide by that and watch the clock. So we will turn to you, Senator Biden.

Senator BIDEN. Thank you very much. Mr. Patrick, help us put a face on the folks you have already convicted. You indicated that—and I think it is a fairly impressive record—the Government has already arrested, tried and convicted, I believe, eight so far. You have made arrests in 8 out of 43 cases. You gave us a number.

Mr. PATRICK. We have closed out a little bit better than a third of the 243 over the last 6 years. That is a combination of State and Federal arrests and convictions and a small handful where the investigations have been closed after a determination that the fire was accidental.

Senator BIDEN. Now, they are black and white churches?

Mr. PATRICK. That is right.

Senator BIDEN. They are accidental as well as arson in that group?

Mr. PATRICK. That is right. They are overwhelmingly suspicious fires or arson.

Senator BIDEN. Now, that is 243 cases?

Mr. PATRICK. Right.

Senator BIDEN. Can you tell me—if not, can you supply for the record—what number of these 243 cases you have closed over the last 6 years—

Mr. PATRICK. Over the last 6 years.

Senator BIDEN [continuing]. Over the last 6 years are black churches?

Mr. PATRICK. I can supply it for the record. I don't have it at my disposal. I believe that in—I can give you the numbers since 1995, the last 18 months.

Senator BIDEN. That would be fine.

Mr. PATRICK. Sixteen of the—excuse me—73 of those in the last 18 months have been attacks on black churches. There have been arrests in 16 of those.

Senator BIDEN. And of the 16 arrests, how many convictions have occurred, if any?

Mr. PATRICK. I think—I am just not sure.

Senator BIDEN. OK.

Mr. PATRICK. I am just not sure.

Senator BIDEN. What I am trying to get a handle on—

Mr. PATRICK. We haven't lost any cases. I will say that much. I think some are pending.

Senator BIDEN. What I am trying to get a handle on, and I think most Americans are wondering about as well, is the thing I mentioned in my opening statement. Is there any pattern not merely to the nature of the way in which fires are set, the way the arson is undertaken, but are there any patterns in terms of the people who we have arrested and convicted?

You know, was it the black man who worked in the vestry who was mad at the minister who burned down his own church? Is he mad at the minister, or was it a malcontent racist who had a history of participating in racial epithets or undertakings? Do they have any connection with hate groups? Do you have enough information at this point to put a face on it, if you will?

Mr. PATRICK. I can make some generalizations, with the very big caveat that they won't be fair generalizations until we resolve a bigger class of the cases, but the generalizations I can make, I think, are these. Of the attacks on the black churches, the perpetrators have mostly been white, young men, in a couple of cases juveniles.

In the Maury County, TN, case, for example, the perpetrators who are convicted were quite clear about their racial hostility. We have arrests of individuals who are members of the Klan. That has not been true of each, or has not been established with respect to each, but we have examples of that as well.

Senator BIDEN. How about the white churches that have been burned? You may not know this, but what I am trying to get a sense of here—and I know you can't draw any conclusion with the universe of burned churches, only 16 people as it relates to the 73

black churches—can you give us any picture of the nature of the kind of people you have arrested and convicted who have burned the white churches?

Mr. PATRICK. I can't, I can't. I can't draw enough similarity, frankly, from the information.

Senator BIDEN. OK. I can see my time is about to be up. I have some questions of Mr. Johnson, but with the permission of the chairman, who is not here, or the acting chairman, I will submit those in writing.

Thank you, Mr. Chairman.

[The questions of Senator Biden were not available at presstime.]

Senator SPECTER [presiding]. Mr. Patrick and Mr. Johnson, thank you for your testimony. The Congress has responded with some tough legislation, 20 years for arson, 40 years if bodily injury results. There is no doubt about the increase in hate crimes. The Federal legislation goes right to the core of the problem on religious property where the motivation is race, color, or ethnic characteristics.

I can recall my freshman year in college at the University of Oklahoma in a Jewish fraternity, how shocked I was to find a swastika painted outside one day. Coming from a small town in Kansas, that was conduct that really surprised me, and then as I worked through the chain as district attorney of Philadelphia I saw a lot of these hate crimes.

I have a concern about the rash of church burnings. The idea may be spreading to people who wouldn't have thought of it otherwise from all of the notoriety and publicity, but I think it is indispensable that we come down hard with the moral condemnation, and now the next step is going to be up to the prosecutors.

I would be interested to know if you have any plans in mind for high-visibility prosecutions where you focus on the racial, religious motivation to really make an example of people so that the word is out that there is going to be a tough stand and try to accomplish some deterrence here. The Supreme Court of the United States has upheld the constitutionality of enhanced penalties where they are hate crimes racially and religiously motivated.

Can you tell us if you have some prosecutions in mind where you really will make a showcase to demonstrate the toughness of law enforcement?

Mr. PATRICK. Well, I can tell you, Senator, stay tuned. Without getting ahead of what is public, we do have a number of promising cases that we are trying to crack, and crack soon. I can assure you, though, that it won't be our intention to prosecute the cases for show entirely, although we agree that the impact of public attention on a sound case in terms of deterrence is important.

Senator SPECTER. Well, you won't be prosecuting them for show. You will be prosecuting them because of the underlying criminal conduct.

Mr. PATRICK. Right.

Senator SPECTER. But when I say showcase, it is entirely appropriate for a prosecuting attorney to make a declaration of intention to seek the death penalty. The Department of Justice does that now under standards and guidelines you have.

Mr. PATRICK. Right.

Senator SPECTER. But are there any cases in the inventory so far which would give you a factual basis for saying how tough the Department of Justice is going to be on the prosecutions? I think if you made that kind of a declaration, that starts the ball rolling on deterrence.

Mr. PATRICK. I hear you. We are on the same page, and the answer to your question is, yes, we do have such cases.

Senator SPECTER. Well, you have a number of arrests which you have already made—37 cases; 8 have been solved by arrest, 11 persons arrested. It wouldn't be a good idea to go into the specifics here in this Judiciary Committee hearing, but I would urge you to take a look at those specific cases and, through the prosecutors that are involved, study them, make an appropriate declaration based on the facts of the case as to what you intend to do.

Mr. PATRICK. Right.

Senator SPECTER. So far, the publicity has all been on the side of the people who are causing the problems and I think some talk by prosecutors as to what you intend to do—and then you have to back it up and then we have to get publicity for the kinds of sentences which are warranted here which will sound the note of deterrence.

Mr. PATRICK. Fair enough.

Senator SPECTER. Well, I commend you for your work and look forward to those tough sentences.

Mr. PATRICK. Thank you.

The CHAIRMAN. Thank you, Senator Specter.

Senator Hefflin.

Senator HEFLIN. In the early 1960's, there were some burnings of homes, perhaps some churches, too, that weren't occupied, and then they followed on by a series of events where there were places that were occupied, including homes and, of course, churches; the 16th Street Church in Birmingham, for example.

Are there any studies and investigation going on to see whether or not there is any comparison between what occurred at that time that might be occurring now?

Mr. JOHNSON. With respect to the study, what we have done is we are trying to get the clearest possible picture of the wave of crime that is going on on the arson front. We have sent out to the local task forces surveys of crimes that have been reported to us, arsons that have been reported to us, burnings that have been reported to us, and asked them for feedback so that we can get the most accurate picture of what is going on today, and that is our first step.

Now, once we get that information, it may profit us to take the next step in determining public policy or giving advice on public policy with respect to these crimes to look at what happened in the 1960's with respect to the burnings of churches and of homes and the additional steps that we were taking as these crime ratcheted up and became increasingly severe during that period. It may profit us to even look back further during other periods of violence against African-Americans and African-American churches, but our first step is to get the clearest picture of what is going on today and make our judgments based on that picture.

Mr. PATRICK. Also, Senator, if I can just add that we are having to look at other incidents in a given community that may relate or give us an indication of climate in that community where we should be on particular alert. For example, in South Carolina the day before yesterday, we sentenced in a case we had prosecuted a cross-burning in front of a black home. There are incidents like that that we still are very active in the Civil Rights Division.

There are a number of cases where threats precede—not many, but some, where threats precede the fire. We have to be alerted to the threats more promptly than we have been so that we can pay attention to the particular risk that may be presented by those kinds of circumstances.

Senator HEFLIN. I have talked to most of the ministers that have had burned churches in Alabama. They tell me that there is some commonality in regard to their church burnings. One is that they occurred in the very early morning just before dawn, after 4 a.m. or 5 a.m. In none of them were there any instances of smell of gasoline. I have noticed in various places, particularly in my State of Alabama, there have been five churches and three of them within the same town, and the others fairly close, within a radius of the town of Boligee, probably no more than 40 miles apart.

I am not sure how close together, but in Tennessee there appears to be a cluster, in particular in west Tennessee, and in Louisiana there appears to be a cluster within a fairly small radius in regard to miles in regard to that. Now, I am not sure about what has happened in some of the other States. It is possible that in certain sections there are, which would indicate that maybe this is being done in a State and, of course, they could move across States, but the fact that there are commonalities within a radius would indicate that maybe they are being done by the same person or persons relative to that.

Mr. Johnson, let me ask you this, too. In one of the written testimonies submitted there is a statement to the effect that two agents of ATF attended the Good Ol' Boys Roundup, and there was sort of the idea that they ought not to have been assigned to it. I am not saying that they are guilty of anything because we don't know individual cases, but I think that certainly your organization ought to guard against any investigating officers who might have some racial prejudice themselves. Do you know anything about this in regard to any agents that might have been involved in the Good Ol' Boys Roundup?

Mr. JOHNSON. A couple of quick things. With respect to the Good Ol' Boys Roundup, both the Justice Department inspector general and the Office of Inspector General at Treasury found that no Federal agents, Treasury or Justice, engaged in any acts of overt racism, but we found at Treasury that there were certain agents that saw blatantly racist acts and didn't respond appropriately. Those agents were subjected to discipline or to counseling to deal with that particular problem.

There were two agents assigned to one of these church fire investigations that were subject to counseling or further disciplinary review because of their attendance at the Good Ol' Boys. They saw racist conduct and they didn't report it back up the chain and

didn't take any appropriate steps to deal with it. They were removed from the investigation.

We have also taken steps to ensure that no one who falls in that category of persons who were either disciplined or submitted to counseling are now assigned to these investigations, and we have done more than that. We have issued policies that are designed to make it clear to all of Treasury law enforcement that their performance off-duty and racist conduct or other misconduct off-duty can have a significant impact on their job on-duty, and if they engage in racist conduct and it has a nexus to the job, they will be subject to discipline.

We have taken steps to make sure that the people that are hired at ATF, at the Secret Service, at Customs have not exhibited racist tendencies before and have not engaged in racist conduct before because it is something that we take very, very seriously. As I mentioned before, the public and the community has to have confidence in law enforcement, and we think we have taken appropriate steps to—we need to take more, but we have taken appropriate steps to regain that confidence.

The CHAIRMAN. Thank you, Senator.

Senator Thompson will be our last questioner of this panel.

Senator THOMPSON. Thank you, Mr. Chairman. Gentlemen, thank you for coming today. On that last point, as you know, we had hearings on the roundup and we were pretty critical of the ATF and others, and I guess some of our friends, good people who have done good work over the years, didn't quite understand why we're so critical if these agents didn't engage in any direct conduct themselves, but I think we see the results of that now.

I think we made the point at the time that that was hampering law enforcement because it would undermine the confidence in many cases. I think many of us thought in terms of defendants using that as a defense. None of us thought about this, but here we are now in another situation where people raise questions about the people conducting these investigations.

You and the director have responded to that, I think, in a very commendable fashion. You all have taken some steps to highlight the nature of that problem and make people understand why being in any way associated with that sort of thing is not only wrong, but harmful to law enforcement, and I think you have taken some very commendable steps. I think because of that, that problem has been minimized in this investigation and I am glad to see that.

Let me ask you this. When you have a church burning, how is a decision made as to whether or not the Federal authorities go in, and if you go in, whether or not it is ATF, FBI, or in conjunction? How does that happen? Obviously, traditionally, arson is a local matter, but this is a different dimension. How do you make that determination?

Mr. JOHNSON. Typically, what has happened is that the ATF, because of its expertise in arson, is invited in by local authorities. We have jurisdiction over many arson cases through title 18 U.S.C. section 844(i), so that when there is an interstate nexus with the arson, we can be called in, but we usually wait for State or local authorities to invite us in. We don't investigate every arson.

With these cases, because of the broad concern in the States throughout this country about this problem, we have been called in in an increasing number of cases. In fact, one of the reasons that our numbers are somewhat fluid is that more and more cases are being reported to us than were reported to us previously.

Senator THOMPSON. Mr. Patrick, I guess you make a determination as to whether or not you think it has the possibility of a civil rights dimension.

Mr. PATRICK. That is right. At this point, through the local task forces I mentioned earlier, the Federal agents and State and local agents are really poised to respond together. The ATF, as Mr. Johnson said, because of their particular arson expertise, is often on the scene at the same time the local fire department is, and then the FBI comes in behind, but not far behind, to help with the investigation and the interviewing of witnesses, which is a big part of any arson investigation.

Senator THOMPSON. I see. You mentioned the two convictions there in Maury County. We have a unique way of pronouncing—

Mr. PATRICK. I said Murray. I am sorry.

Senator THOMPSON. Well, that is all right. It is certainly spelled that way, but a custom has grown up over the years.

Have there been other convictions; how many others from this series of church burnings?

Mr. PATRICK. In Tennessee?

Senator THOMPSON. No; anywhere we will say with regard to black churches, particularly.

Mr. PATRICK. Well, we have 16 arrests of the incidents in the last 18 months. Many are pending trial right now. Many, by the way, are arrests that have been carried out by State, local, and Federal cooperation, but they are being held under State charges, so they are waiting for the local court system to gear up. We are having to make judgments in every one of the cases about what serves the case best in terms of what the jurisdiction—who should take it.

Senator THOMPSON. So you have those two that went to trial.

Mr. PATRICK. Right.

Senator THOMPSON. So I guess it is fair to say that you have not taken any of these to trial yet where the prosecution has lost the case.

Mr. PATRICK. No. That is correct.

Senator THOMPSON. Of course, there are very few at this stage of the game, but I think that speaks well for the process, I think. I think, clearly these things are going to be highlighted because of the nature of them, but I think it is very important that you continue to do the kind of job you are, and that is basically you are professional prosecutors and this in many respects has got to be treated like any other case and the proof has got to be there, and leave it up to the local people to do the right thing.

It looks like so far, from a prosecution standpoint, these local communities have responded in a positive way and have been willing to convict people where the evidence is there to convict them.

Mr. PATRICK. So far, so good.

Senator THOMPSON. I think that is a pretty good thing to point out, too.

Mr. PATRICK. Thank you.

Senator THOMPSON. My time is up. Thank you, Mr. Chairman.  
The CHAIRMAN. Well, thank you, Senator Thompson.

We want to thank both of you for your good statements here today and for the help to the committee that you are. We appreciate the fights that you are waging and we appreciate the work that you do, so thanks for being here.

Mr. PATRICK. Thanks for your help.

The CHAIRMAN. OK.

Mr. JOHNSON. Thank you.

[The prepared statement of Mr. Patrick and Mr. Johnson follows:]

PREPARED STATEMENT OF JAMES E. JOHNSON AND DEVAL L. PATRICK

Mr. Chairman, Senator Biden, and members of the Committee, thank you for the opportunity to discuss the federal government's efforts to address a growing problem of arson attacks on African American churches, primarily in the Southeast.

This is an important and timely hearing. It reflects the joint view of policy makers, within the Administration and Congress, to do all we can to prevent these attacks and prosecute those responsible. Indeed, the President and Congress are taking aggressive steps to bring to bear all necessary resources to address this problem.

We thank the Committee for speaking with one voice on this issue, and in helping to bring these terrible incidents to national attention. We hope that this hearing will further our mutual aims of enforcing our civil rights and other laws, protecting our people, promoting tolerance, and bringing wrongdoers to justice.

For our part, as co-chairs of the Church Fires Task Force, let us restate our undivided commitment to fighting these church arsons. Our testimony today will provide the Committee with the current status of the coordinated church fires investigations, describe our efforts to reach those congregations already victimized by fires with help, and outline measures that are being pursued to better deter future attacks. While these hearings appropriately highlight fires at African American churches, we believe that burning a house of worship is deplorable, no matter the skin color of the congregation, or the denomination of the church, temple, or mosque involved.

As to the investigations, federal agents have responded to 145 suspicious fires or acts of desecration since January 1, 1995. Of those, 73 were at African American churches, with the large majority of these in the Southeastern states.

Arrests have been made in a number of the southern church fires, including the Mt. Zion AME Church, Greeleyville, SC; the Macedonia Baptist Church, Manning, SC; St. John Baptist Church, Lexington County, SC; the New Liberty Baptist Church, Tyler, AL; the El Bethel Church, Satartia, MS; the Matthews Murkland Church, Charlotte, NC; and the First Missionary Baptist Church, Enid, OK. Just last week, arrests were made in connection with the fires at Mt. Tabor Baptist Church, Cerro Gordo, NC; the Pleasant Hill Baptist Church in Lumberton, NC; the Life Christian Assembly Church in North Charleston, SC; and the Peterson Chapel Primitive Baptist Church in Scott County, VA. In addition, three people have been convicted on federal conspiracy charges in the case of two churches in Maury County, Tennessee (Friendship Missionary Baptist and Canaan AME Church).

These cases are being made through the joint work of federal, state, and local authorities. For example, the two individual charged in the Mt. Zion and Macedonia case were arrested by South Carolina Law Enforcement Division officers, with the assistance of Federal officials.

Within the federal government, investigative work is being performed by the Bureau of Alcohol Tobacco and Firearms (ATF) and Federal Bureau of Investigation (FBI), working under the guidance of the Church Fires Task Force formed at the direction of the President. As noted, we co-chair this task force, and FBI Director Louis Freeh and ATF Director John Magaw are members. Representatives of the United States Attorneys Offices, the U.S. Marshals Service, Law Enforcement Coordinating Committee/Victim-Witness Coordinators and the Community Relations Service of the Department of Justice also participate. The purpose of the National Task Force is to coordinate all aspects of the investigation and prosecution of cases arising out of attacks on houses of worship, and to recommend other actions the government can take to stop the rash of fires. The Task Force has established a number of working groups to address issues of outreach, training, and press. The task force



will report weekly to the President through Secretary of the Treasury Robert Rubin and Attorney General Janet Reno.

Working under the Task Force, ATF and the FBI are responding to all violent acts directed at houses of worship, including arsons, since they constitute an assault on a basic tenet of American democracy—religious freedom. Their authority to do so arises under several federal statutes including the Anti-Arson Act of 1982 (which makes it a federal crime to use fire to destroy property involved in interstate commerce), 18 U.S.C. §§ 241, 247, and 248(a)(3) (which make it a federal crime to desecrate religious property or a house of worship or to conspire to deprive people of civil rights). ATF is responsible for investigating suspicious fires that fall under the Anti-Arson Act. The FBI is responsible for investigating civil rights violations.

These federal authorities are most often notified of incidents by local fire or police departments. Once one of these federal bureaus is notified of a suspicious fire, it ensures that the other bureau, as well as the National Church Arson Task Force, is immediately notified. ATF and FBI then coordinate with local authorities on the scene.

With well over 200 FBI and ATF investigators—working together with state and local authorities—this is one of the largest federal criminal investigations of any kind, one of the largest arson investigations in history, and the largest current civil rights investigation. Moreover, because these cases are of national significance, federal prosecutive efforts undertaken by individual United States Attorneys will also be augmented by attorneys from the Civil Rights Division, in close coordination with ATF, FBI and state and local law enforcement.

The Task Force will ensure that those conducting the investigations will continue to pursue these investigations with vigilance, determination, dispatch, and sensitivity to the needs of the victims. Within a week of being formed, the Task Force met with the FBI and ATF Special Agents in Charge (SACs) and with United States Attorneys from the South to emphasize this critical directive. We have assured concerned organizations that balancing the need for comprehensive investigations with the equally important requisite of sensitivity is uppermost in our minds.

In addition, many United States Attorneys already have formed local task forces to deal with fires in their districts. Local task forces in Tennessee and South Carolina are working well. The Attorney General has not directed every U.S. Attorney to form a task force if he or she has not done so already. Each local task force is to include state and local law enforcement and fire protection officials, as well as representatives from the ATF, FBI, U.S. Marshals Service and, where appropriate, the conciliators and mediators of the Community Relations Service. Victim-witness coordinators also will be made a part of this team.

These particular task forces are able to draw upon a history of coordinated federal, state, and local efforts in the investigation of arson crimes. In fact, working with state and local authorities, the federal government has solved and successfully prosecuted a number of church arsons and desecrations. There have been arrests in 83 of the incidents reported since 1990.

Thus, while these crimes are difficult to solve, given the destruction of forensic evidence by the fires and the remote location of the churches, the federal government remains committed to solving and prosecuting all of them. As Treasury Secretary Rubin stated, “we will not be satisfied until 100 percent of the arson cases are solved, and the perpetrators brought to justice. Whatever it takes, however, long, and whomever is responsible.”

We support and actively participate in outreach efforts in the affected communities. We know from our own personal experiences that the African American church is the cornerstone of the community, and that the fires strike at its very heart. As Attorney General Reno recently said, “the church is often more than just the place the community worships. It is the spiritual center of the community. To destroy a church is to chip away at the community.” We recognize that these cases demand the highest priority by federal law enforcement, as well as a close relationship with local law enforcement and local citizens. Thus, in April, the FBI hosted a hate crimes conference in Birmingham, Alabama specifically focusing on church arsons and desecrations in the South. Representatives from ATF, U.S. Attorneys Offices and the Civil Rights Division attended. Moreover, FBI and ATF SACs, and United States Attorneys have been meeting periodically with church representatives and members of the community to keep them apprised of federal efforts. The National Task Force is working to increase these outreach efforts.

Attorney General Reno and Secretary Rubin have instructed us to remain in close contact with the affected communities, and we are doing so. We will continue to meet and speak regularly with high level representatives from organizations like the National Council of Churches, the NAACP, the Southern Christian Leadership Conference, and the Congressional Black Caucus. We have both traveled to the

South to meet with church and community members and to view personally the devastation these arsons have wrought.

With the foregoing measures as a backdrop, let us paint a picture of where our efforts are going from here.

First, as noted, the Task Force is working tirelessly to coordinate the investigation, prosecution, safeguarding, and rebuilding of houses of worship.

Second, the federal government has established a toll-free tip line for citizens to report information on these fires. We have already received over 975 calls through that service. That toll free number is 1-888-ATF-FIRE. Both ATF and FBI are offering rewards for information in a number of arson cases.

Third, the federal government has begun an effort to help prevent these crimes from occurring in the first place. The effort is being coordinated by the Federal Emergency Management Administration, and includes the work of the FEMA, ATF, the FBI, the United States Marshals Service, and the Department of Housing and Urban Development. As part of this preventive effort, ATF has prepared a Church Threat Assessment Guide which it has begun to distribute throughout its divisional offices and through church groups. This Guide will help churches, especially rural ones, take steps to protect themselves from criminal arsonists and vandals. In addition, the U.S. Marshals Service will be involved in conducting risk assessments of churches that may be particularly vulnerable.

As part of the Administration's commitment, we strongly support legislative efforts that will further strengthen investigative and prosecutive means. In this regard, the Administration supports the provisions of the Faircloth-Kennedy bill, which would enhance the ability of federal prosecutors to prosecute attacks on houses of worship. We would like to take this opportunity, on behalf of the Administration, to thank the sponsors of the bill, as well as the Chairman, ranking member, and other members of this Committee, for pursuing it so expeditiously.

The language in Faircloth-Kennedy will significantly improve 18 U.S.C. § 247 as a tool to combat the deliberate arsons or desecrations of houses of worship, particularly where the perpetrators act with racial motivation. An additional discussion of the bill is attached in an Appendix to this statement.

Finally, a note concerning our testimony today. As the Committee is aware, information relative to ongoing criminal investigations may not be publicly released before the investigation is concluded. We, as law enforcement officers, must adhere to this important requirement. Thus, we must be circumspect in some of our answers to your questions. As these cases move forward, and the perpetrators are brought to trial, we will be able to provide more information relevant to these investigations. But let us assure you that the federal government is absolutely committed to determining the cause of each one of these fires, and to establishing the motive behind them. We are exploring all leads in an effort to determine if they are motivated by racial hatred or hostility and whether there is any link between some or all of them.

Let us note again that the President and Congress have worked together in recent weeks to focus national attention on church arsons. The President's ecumenical breakfast yesterday, his recent weekly radio address, his trip to the site of a rebuilt African American church in Greeleyville, South Carolina, and his meeting last week with Southern Governors to share information on federal efforts and to collaborate on ideas for prevention, prosecuting, and rebuilding are some of the visible demonstrations of the President's commitment. Meanwhile, Congress has taken steps to help ensure that our investigators and prosecutors have additional tools and resources. We must continue on this unified approach. As the President stated in his radio address: "We must rise up as a national community to safeguard the right of every citizen to worship in safety. That is what America stands for." With the assistance and leadership of this Committee, and the commitment of all the American people, we cannot fail.

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APPENDIX TO THE PREPARED STATEMENT OF JAMES E. JOHNSON AND DEVAL L. PATRICK

The language in the Faircloth-Kennedy bill will significantly improve 18 U.S.C. § 247 as a tool to combat the deliberate arsons or desecrations of houses of worship, particularly where the perpetrators act with racial motivation.

First, it will modify the present language in 18 U.S.C. § 247(b) that limits its applicability to cases in which the defendant, in burning or otherwise attacking a house of worship, must have moved in interstate commerce or used an instrumentality of interstate commerce in interstate commerce. This language, focusing as it does on the movement of the defendant, has rendered Section 247 relatively useless in addressing attacks on churches. The new language of Faircloth-Kennedy, requir-

ing proof that the offense "is in or affects interstate or foreign commerce," focuses on the effects of the offense on interstate commerce, in terms similar to existing language in 18 U.S.C. §844(i).

This is an appropriate change in the language of section 247 that is tied to Congress' exercise of its authority to regulate interstate commerce. In our view, the activity of churches and other religious organizations affects interstate commerce in many ways. For example, churches and other religious organizations may contribute large sums of money to charitable and educational efforts that fund activities in other states. They also purchase goods and services that flow in interstate commerce, both to support the buildings themselves and many communities activities. Those religious organizations that run educational and charitable entities also pay significant amounts of money each year in salaries and benefits to and for their employees, and many churches and other religious organizations often advertise and hire employees nationwide. The destruction of churches not only affects all of these activities, but also in all likelihood inhibits the interstate travel many churches organize for their parishioners and members.

Given that the amendment to Section 247 requires the government to establish in each prosecution brought under subsection (a) either that the offense was committed "in" interstate commerce or that the offense "affects" interstate commerce, the amendment is well within Congress' power under the Commerce Clause.

In addition, Faircloth-Kennedy eliminates the existing language in 18 U.S.C. §247 that limits the statute to cases in which the attack caused at least \$10,000 in property damage. In our view, requiring a dollar minimum on damage is inconsistent with the intent of the statute, which is to punish attacks on houses of worship. Firing a gun into a church or synagogue, or spraypainting racial or religious epithets on churches or synagogues, conveys a threatening and intolerable message, but may not cause \$10,000 in actual property damage. The minor dollar cost of the damage does not lessen the threat, and therefore should not be a barrier to prosecution. Eliminating the dollar minimum is a very positive step to improving 18 U.S.C. §247 as an enforcement tool.

As many persons have observed, the startling increase in the number of attacks on African American churches in the United States has seemingly resurrected days of racial strife we all thought had long since passed by. The addition of proposed subsection (c) to 18 U.S.C. §247 will very significantly improve this statute as a prosecutorial tool in those cases in which an attack on a house of worship is motivated by the race, color, or ethnicity of persons who use or are otherwise associated with the building.

Enacting subsection (c) of Faircloth-Kennedy is an appropriate exercise of Congress' authority to enforce the Thirteenth Amendment. Section 1 of the Thirteenth Amendment prohibits slavery or involuntary servitude, and Section 2 of the Amendment states, "Congress shall have power to enforce this article by appropriate legislation."

Congress, when implementing the provisions of the Thirteenth Amendment, may enact legislation that prohibits private acts of racial discrimination. Acting pursuant to its authority to enforce the Thirteenth Amendment, in 1866 Congress enacted what is now 42 U.S.C. §1982, which provides that, "All citizens of the United States shall have the same right, in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property." In 1883, the Supreme Court stated that the "badges and incidents of slavery" included racial restraints upon the holding of property. *Civil Rights Cases*, 109 U.S. 3, 20 (1883). In *Jones v. Mayer*, 392 U.S. 409 (1968), the Supreme Court, reviewing 42 U.S.C. §1982, concluded that Congress had authority under Section 2 of the Thirteenth Amendment to reach private acts of racial discrimination.

Congress has used its authority to enforce the guarantees of the Thirteenth Amendment and to eliminate the "badges and incidents" of slavery in more recent years as well. Some of the civil and even criminal (see 42 U.S.C. §3631) provisions of the Civil Rights Act of 1968 that prohibit private acts of housing discrimination were enacted pursuant to Congress' authority to enforce the Thirteenth Amendment. *United States v. Hunter*, 459 F.2d 205, 214 (4th Cir.), cert. denied, 409 U.S. 934 (1972); *Williams v. Matthews Co.*, 499 F.2d 819 (8th Cir.), cert. denied, 419 U.S. 1021 (1974).

Legislation enacted pursuant to the Thirteenth Amendment is not limited to actions that are taken because of bias directed at African Americans. In *Saint Francis College v. Al-Khazraji*, 481 U.S. 604 (1987), and *Shaare Tefila Congregation v. Cobb*, 481 U.S. 615 (1987), the Supreme Court concluded that based on the mid-1860s understanding of "white" persons, both ethnic minorities and Jews were protected by legislation passed pursuant to the Thirteenth Amendment, including 42 U.S.C. §1982. Therefore, Congress will, when enacting new subsection (c), reach attacks

not only on churches owned by African Americans, but churches owned or used by other minority groups, and synagogues as well.

Subsection (c) also has a significant prosecutorial advantage. While prosecutions pursuant to subsection (a) would still require proof that the church that was attacked had an effect on interstate commerce, prosecutions brought pursuant to subsection (c) would not require such proof. That is because, while subsection (a) is an exercise of Congress' power to regulate interstate commerce, subsection (c) is supported fully by Congress' power to implement the Thirteenth Amendment, and no showing of an effect on interstate commerce is required. The prosecution is fully focused, as it should be, on the attack on the church or synagogue and whether that attack was motivated by racial or ethnic bias.

The CHAIRMAN. Our third panel consists of the following individuals: The Reverend Dr. Mac Charles Jones, associate to the general secretary for racial justice, National Council of Churches, New York City, NY; the Reverend Lawrence Haygood, Pleasant Valley Baptist Church, of Coffee Springs, AL; and Mr. Ralph E. Reed, Jr., the executive director of the Christian Coalition, Chesapeake, VA.

Rev. Lawrence Haygood, from Coffee Springs, AL, who was scheduled to testify as a member of this panel became ill last night and is unable to be here, but we do have his written statement for inclusion in the record and we will put it in the record.

[The prepared statement of Mr. Haygood follows:]

#### PREPARED STATEMENT OF LAWRENCE F. HAYGOOD

Pleasant Valley Missionary Baptist Church was founded in 1885. For over 100 years the church has served as a haven of worship for many people in Coffee Springs, Alabama.

In 1990, on the Saturday before the second Sunday in February, the church was burned to the ground, leaving the parishioners in deep shock and uncertainty. The members of Pleasant Valley decided to rebuild, and they gave sacrificially of their financial resources to this end. The church was completed in 1991. The parishioners were happy in their newly constructed place of worship. 11 months later, in the Fall of 1992, the church was burned to the ground again. The local newspapers reported that both burnings were attributed to acts of arson; however, no one has been caught and brought to justice because of these atrocious crimes.

The church served not only as a place of worship; it also served as a place for people to gather for their social life. The ladies would regularly prepare food and everybody ate together at the church. They would also come together to learn to live peacefully with the white community during the days of legalized racial segregation.

Facing the burnings, the children were fearful and afraid. After the second fire a group of children went to their grandfather and asked him to build them a new church so that they could go to Sunday School and worship together on a regular basis.

The congregation, together with Deacon Leon Bess, got together and rebuilt their church. They had fire insurance, but the insurance did not pay enough to rebuild. The congregation secured a loan from a local bank and pledged their savings and land. Through the practice of tithing and percentage giving they now receive enough money to pay their monthly church note on their newly constructed church on a regular basis. A \$30,000 note is a heavy burden on a small, rural congregation.

Pleasant Valley has always taught the work ethic and the meaning of sacrifice for a great cause. The members maintained their dignity and self-sufficiency by proving to themselves and others that they had the capacity and the will to rebuild their church. At Pleasant Valley the word of God is purely preached and sacraments are properly administered. John Calvin revealed that where such is done, there is truly a church of the living Christ.

Adjacent to the church is a church family cemetery. I frequently visit the cemetery for this is where my father and grandfather are buried. Also, my great grandfather and grandmother on my mother's side are also buried there. My mother has reserved her burial plot beside my father. I have reserved my burial plot next to my mother. From the cemetery, I can vividly see the church of my birth, where my name remains on the roll. If our church is burned down again, the members will rebuild. The members of Pleasant Valley pray each Sunday: "Father forgive them for they know not what they do."

The CHAIRMAN. Now, before we proceed with your statements, let me note that since I announced that this committee would be holding a hearing on this subject, the committee has been contacted by numerous individuals and organizations representing Americans of every race, religious, and political persuasion who share the concern and outrage that I and other members of this committee feel with respect to these reprehensible crimes and who wanted the opportunity to testify at this hearing.

I regret that time does not permit us to accommodate each one of those requests, for each would convey a message of support for religious liberty and opposition to hate and violence that cannot be repeated too often. We have endeavored, and I believe succeeded in having as witnesses here today persons who, as individuals and on behalf of their respective organizations, are representative of the views of the overwhelming majority of Americans.

Several organizations—the Anti-Defamation League, the General Board of Church and Society of the United Methodist Church, the National Conference, and the American Jewish Committee—have submitted written statements for the record which we will place in the record, and we hope people will read them.

[The above-mentioned prepared statements are located in the appendix.]

The CHAIRMAN. Again, I would ask that opening statements be limited to approximately 5 minutes, and we will limit rounds of questions to 5 minutes. So, Reverend Jones, we will have you proceed first.

**PANEL CONSISTING OF MAC CHARLES JONES, ASSOCIATE TO THE GENERAL SECRETARY FOR RACIAL JUSTICE, NATIONAL COUNCIL OF CHURCHES, NEW YORK, NY; RALPH E. REED, JR., EXECUTIVE DIRECTOR, CHRISTIAN COALITION, CHESAPEAKE, VA; AND JONATHAN MOUZAN, MACEDONIA BAPTIST CHURCH, MANNING, SC**

#### STATEMENT OF MAC CHARLES JONES

Reverend JONES. Mr. Chairman and all the distinguished members of the Senate Judiciary Committee, my sisters and brothers who are here, let me first just say that this is going to be an interesting task that you have laid before me. If my members were here, they would probably liken it to the changing of wine at Canaan, and that is a Baptist preacher trying to limit testimony to 5 minutes, but I am going to try to do that to the best of my ability.

The CHAIRMAN. I think that was a pretty good simile myself, I will tell you. That is great. We will give a little leeway here. Go ahead.

Reverend JONES. All right, thank you. Let me just also recognize Reverend Mouzan, who is also here, the pastor of Macedonia Baptist Church, whose church was burned in Manning, SC, and he would be available, if you would want, for testimony or questions at that point.

The CHAIRMAN. Is the reverend here?

Reverend JONES. He is here right now.

The CHAIRMAN. Reverend, why don't you take this other seat right here, if you are handy? Just come up and take that and we will be happy to have you participate.

Reverend JONES. Let me begin by thanking you, Senator Hatch and Senator Biden and Senators Faircloth and Kennedy for the leadership that you have given in terms of this bill, this legislation.

The CHAIRMAN. Thank you.

Reverend JONES. It is so important to us that not just the Congress, but all bodies of politics in this country, not only at the national level but the local level, move quickly to address this issue and you have done that with dispatch.

The CHAIRMAN. Thank you.

Reverend JONES. On behalf of the National Council of Churches of Christ in the U.S.A., I wish to thank you for the opportunity to participate in these historic hearings on one of the most critical issues confronting our Nation today, the epidemic of what we call domestic terror directed at the African-American community and the underlying racism fueling the fires at scores of black churches across this land.

Let me just note that the National Council of Churches of Christ in the U.S.A. is the preeminent expression in the United States of the movement for Christian unity, representing 33 Protestant and orthodox member communions to which 52 million people belong, working together and working with other church bodies to build a wide sense of Christian community and to deepen the experience of unity.

I again want to commend this august committee as a whole on the bipartisan legislation, and the Senate for passing this legislation that would outlaw a wide range of hate crimes, including the deliberate arson and desecration of houses of worship. And I urge the Senate to enact this draft legislation as quickly as you can with the Hyde-Conyers bill and what is necessary in the cooperation of both bodies.

I wish also to take this opportunity to commend the Congressional Black Caucus and its chairman, Representative Donald Payne, for the hearings that were held last week on the church burnings. That was significant to building up to this moment.

The committee's action today, I believe, will send a powerful signal of concern to the African-American community that their most sacrosanct institution, the church, will be protected against acts of domestic terror. The frustration and anger is welling up as black people watch church after church burn to the ground in a seemingly endless orgy of hate, as they witness the destruction of what has become for millions of African-Americans a sanctuary, a refuge of last resort, a house where they can find the love, respect, and fellowship denied them by society at large.

Mr. Chairman, on June 9 and 10, the National Council brought to Washington a delegation of 38 pastors, deacons, and families whose churches and homes had been burned. Since their visit, eight more churches have been burned across the South, six of them predominantly black African-American or multiracial churches. This crisis has generated a magnificent outpouring of concern and sympathy from people of all races and ethnicities. Further-

more, it is creating exciting new possibilities and opportunities for dialog and common action.

However, as Dr. Martin Luther King discovered during his lifetime, compassion and togetherness are wonderful antidotes to racism, but by themselves they are insufficient. Today, they must be accompanied by an honest recognition that racism is not a thing of the past, but remains a living and vibrant force of negativity in the here and now. It is expressed in overt and covert ways too numerous to mention. These manifestations are ugly and dehumanizing to all of us, black and white, Jew and gentile, Christian and Muslim.

Racism does not simply render blacks the victims and whites the victimizers. Racism victimizes us all. It robs us of our common humanity, defames our sense of decency, undermines our respect for each other and ourselves. Racism is far more than prejudice. It is more than bigotry. It is the insidious entrenchment in our culture and in our institutions of attitudes and actions that deny millions the opportunity to fulfill their human potential and utilize their God-given talents for the common good.

The test of democracy in America is its ability to deliver on the promise of racial equality and racial justice not just as it is codified in the letter of our laws, but as it is acted out in the day-to-day deeds of all Americans. The world is watching us today. Can our beloved country truly exercise moral leadership in the global community by ignoring the open wounds of racism, or worse by pouring salt into those wounds with divisive rhetoric and with public policies laden with demagogic race-coded language?

The issue of racism in America is not an issue of integration or assimilation, but of common ground. We must understand that what connects the tree, the lily and the rose is not their sameness, but their rootedness in the Earth, the common ground that provides the nourishment and power for all that lives.

The other concern that the burning of churches, synagogues, and mosques raises is the barrenness of spirituality in our national culture. When the godly spirit of love, justice, and mercy is absent and when the culture's obsession is the accumulation of capital and the exercise of raw power, the Nation is in the midst of self-destruction. So as we rebuild and restore churches, we must reclaim our essential selves, our spirit and our humanity.

Just a word about white supremacist groups. They are in contact, these groups, with each other in a daily fashion in national and international networks. If one just checks the chat boxes on the Internet, one would discover the nature of their conversation. They are currently misusing and manipulating naive white teenage boys and some girls as pawns to carry out their dirty deeds.

Indeed, Mr. Chairman, we as a nation are at risk of losing thousands of our white youth to organized hate crime syndicates. Moreover, we are at risk of losing even larger numbers of white males to the growing militia movement and to a host of rightwing groups created by the deep-seated economic insecurities encountered by millions of Americans.

We continue to call on Federal, State, and local law enforcement agencies to mount a vigorous investigation of the Ku Klux Klan, the Aryan Nations, the neo-Nazi skinheads and other white su-

premacist groups engaged in these campaigns of terror. White supremacy cannot be cured with gentle measures. This cancerous organ in the body politic must be cut out definitively. It is born of the false notion that skin color affords rights to some that others should not enjoy. It is fed and nourished by a system of privilege and power based on race. It began as a sickness of the soul in this country, but it has inevitably evolved into a sickness of our system. It is the responsibility of clerical leadership to help mend these broken souls, and it is the responsibility of civic and corporate leadership to rectify the systemic injustices.

I conclude by sharing with you what we will do as the National Council of Churches in the coming weeks. The National Council of Churches will intensify its advocacy campaign on behalf of the churches that have been burned, firebombed, and vandalized. We have established the Burned Churches Fund, with the goal of raising over \$4 million to assist in the restoration of the destroyed churches.

In the coming days, we will continue visiting burned church sites throughout the Southeast, as we have been doing over the past 4 months. Along with our collaborators in this campaign, the Center for Democratic Renewal in Atlanta and the Center for Constitutional Rights in New York, we will continue our own investigations into these crimes. Soon, we will be undertaking a national tour of a dozen cities promoting a message of unity through dialog among the various racial and ethnic groups in our country. We will hold ecumenical services and town meetings. We will engage local communities in frank, open discussions about racism and we will explore what we can all do proactively to confront this disease.

Finally, Mr. Chairman, fire can destroy or it can galvanize and purify. The burning bush in the story of Exodus in the Hebrew scriptures was not consumed, but rather was a prelude to liberation. The site of the burning bush became holy ground, the initiation of a movement. This prompts us to recall another image of the refiner who sends precious metals through the fires to burn away the impurities and leave that which is most valuable.

Is it possible that these fires can galvanize this Nation and initiate a movement that will mobilize us against racism, white supremacy, and hatred in all of its forms? Is it possible that these burned sites can become our holy ground on which we build and restore community? Is it possible that these fires are moral demands that we submit ourselves to the painful process of honest and truthful engagement in communities, hamlets, towns, cities, rural countrysides until we are purged of our intolerance and of all attitudes of superiority? Yes, we believe all of the above to be possible, and we trust that the good people of this country will respond in such a way that we will turn tragedy into triumph.

Thank you, Mr. Chairman and members of this committee for the opportunity to share our thoughts and perspectives.

The CHAIRMAN. Thank you, Reverend Jones.

[The prepared statement of Reverend Jones follows:]



## PREPARED STATEMENT OF MAC CHARLES JONES

Mr. Chairman, Distinguished Members of the Senate Judiciary Committee, Sisters and Brothers.

On behalf of the National Council of Churches of Christ in the USA, I wish to thank you for the opportunity to be part of these historic hearings on one of the most critical issues confronting our nation today—the epidemic of domestic terror directed at the African American community and the underlying racism fueling the fires at scores of Black churches across this land.

The National Council of Churches of Christ in the USA is the preeminent expression in the United States of the movement for Christian unity. Its 33 Protestant and Orthodox member communions, to which 52 million people belong, work together and with other church bodies, to build a wide sense of Christian community and to deepen the experience of unity.

While I do not purport to speak for all members of the communions constituent to the National Council, I do speak for our policy-making body, the General Assembly, whose 270 members are selected by those communions in numbers proportionate to their size. I wish to commend this august committee for deliberating on bipartisan legislation that would outlaw a wide range of hate crimes, including the deliberate arson and desecration of houses of worship, and I urge the Senate to enact this draft legislation as swiftly as your colleagues in the House did last week with the Hyde-Conyers bill.

I wish also to take this opportunity to commend the Congressional Black Caucus and its chairman Representative Donald Payne for holding hearings last week on the church burnings.

This committee's action today will send a powerful signal of concern to the African American community that their most sacrosanct institution—the church—will be protected against acts of domestic terror.

The frustration and anger is welling up as Black people watch church after church burn to the ground in a seemingly endless orgy of hate, as they witness the destruction of what has become for millions of African Americans a sanctuary and refuge of last resort, a house where they can find the love, respect and fellowship denied them by society at large.

Mr. Chairman, on June 9 & 10, the National Council brought to Washington a delegation of 38 pastors, deacons and Families whose churches and homes had been burned, firebombed, shotgunned and vandalized over the past two years in seven southeastern states. The delegation met with Attorney General Reno, Secretary of the Treasury Rubin and other high-ranking officials of the Justice and Treasury Departments. Two of the Pastors met with President Clinton.

In all their meetings, the delegation expressed passionately the pain and loss that they and their communities experienced from the attacks on their churches and homes and from the indignities and affronts meted out to them by local, state and federal law enforcement agents assigned to investigate the crimes. They complained that in far too many cases the victims were being treated like the criminals.

Since their visit, eight more churches have been burned across the south, six of them predominantly Black Or Multi-racial churches. This plague continues to spread its ugly tentacles but more voices of condemnation are now being heard from every corner of this country. Indeed, this crisis has generated a magnificent outpouring of concern and sympathy from people of all races and ethnicities. Furthermore, it is creating exciting new opportunities for dialogue and common action.

However, as Dr. Martin Luther King Jr. discovered during his lifetime, compassion and togetherness are wonderful antidotes to racism but by themselves they are insufficient. Today, it must be accompanied by an honest recognition that racism is not a thing of the past but remains a living and vibrant force of negativity in the here and now. It is expressed in overt and covert ways too numerous to mention. These manifestations are ugly and dehumanizing to all of us, Black and White, Jew and Gentile, Christian and Muslim.

Racism does not simply render Blacks the victims and whites the victimizers. Racism victimizes us all. It robs us of our common humanity, defames our sense of decency, undermines our respect for each other and for ourselves. Racism is more than prejudice. It is more than bigotry. It is the insidious entrenchment in our culture and in our institutions of attitudes and actions that deny millions the opportunity to fulfill their human potential and utilize their God-given talents for the common good.

The test of democracy in America is its ability to deliver on the promises of racial equality and racial justice, not just as it is codified in the letter of our laws but as it is acted out in the day-to-day deeds of all Americans.

Mr. Chairman, the world is watching America today. Can our beloved country truly exercise moral leadership in the global community by ignoring the open wounds of racism or worse, by pouring salt into those wounds with divisive rhetoric and with public policies laden with demagogic and race-coded language.

The issue of racism in America is not an issue of integration or assimilation but of common ground. We must understand that what connects the tree, the lily and the rose is not their sameness but their rootedness in the earth, the common ground that provides the nourishment and power for all that lives.

The other concern that the burning of churches, synagogues and mosques raises is the barrenness of spirituality in our national culture. One of the reasons that we at the National Council of Churches are focusing, so fervently on racism and white supremacy is that hatred based on race has weakened our spiritual moorings thus creating intolerance and a climate of violence that gives license to the burning and vandalizing of houses of worship.

When the Godly spirit of love, justice and mercy is absent and when the culture's obsession is the accumulation of capital and the exercise of raw power the nation is in the midst of self-destruction. So as we build and restore churches we must reclaim our essential selves, our spirit and our humanity.

We in the NCC are convinced that both the overall climate of racism and the organized hate groups spawned by this climate are primarily responsible for this wave of domestic terrorism. These are not random, disconnected acts carried out by "disturbed" or "deranged" youngsters but rather a systematic campaign of intimidation directed and orchestrated by organized white supremacist groups. These groups are in contact with each other in a national and international network. They are armed, violent and more sophisticated in their tactics than the old-style Ku Klux Klan. Their common denominator is an ideology akin to Hitler's Nazism. They are currently misusing and manipulating naive white teenage boys and girls as pawns to carry out their dirty deeds.

Indeed, Mr. Chairman, we as a nation are at risk of losing thousands of our white youth to organized hate crime syndicates. Moreover, we are at risk of losing even larger numbers of white males to the growing militia movements and to a host of right-wing groups created by the deep-seated economic insecurities encountered by millions of Americans.

We call on federal, state and local law enforcement agencies to mount a vigorous investigation of the Ku Klux Klan, the Aryan Nation, the Neo-Nazi Skinheads and other white supremacist groups engaged in these campaigns of terror. Expose them for what they really are and prosecute the perpetrators of these heinous crimes. We also call on our government to investigate the penetration of federal, state and local law enforcement agencies by white supremacist groups.

We have destroyed Jim Crow segregation but we have not yet triumphed over racism. We are saddened to say, Mr. Chairman, that white supremacist ideas and practices are pervasive in modern American culture. Hate does not reside exclusively in white supremacist groups. Hate and bigotry permeates all respectable institutions in both the public and private sectors, in the halls of government as well as in the boardrooms of corporate America.

White supremacy cannot be cured with gentle measures. This cancerous organ in the body politic must be cut out definitively. It is born of the false notion that skin color affords rights to some that others should not enjoy. It is fed and nourished by a system of privilege and power based on race. It began as a sickness of the soul but it has evolved into a sickness of our system. It is the responsibility of clerical leadership to mend those broken souls and it is the responsibility of civic and corporate leadership to rectify the systemic injustices.

We must replace this climate of intolerance towards those who are different from the majority with a climate of intolerance for hatred and bigotry towards any group of Americans. For us to remain one nation under God we must have liberty and justice for all Americans, irrespective of race, religion or ethnicity.

We commend President Clinton for his forceful moral leadership on this issue and we urge him to go even further in leading the entire nation in an all-out war against racism and white supremacy in the coming months. We are appreciative of the tireless work of Assistant Attorney General for Civil Rights Deval Patrick and Assistant Treasury Secretary Jim Johnson who lead the President's task force investigating the church burnings. Theirs is an unenviable undertaking and they deserve our support and cooperation.

In the coming weeks and months, the National Council of Churches will intensify its advocacy campaign on behalf of the churches that have been burned, firebombed and vandalized. We have established the Burned Churches Fund and a goal of raising \$4 million to assist in the restoration of the destroyed churches. The Ford Foun-

dation and seven other major foundations have joined forces to contribute \$2.7 million to the Burned Churches Fund.

Tomorrow, we will continue visiting burned church sites throughout the southeast as we have been doing over the past four months. Along with our collaborators in this campaign, the Center for Democratic Renewal in Atlanta and the Center for Constitutional Rights in New York, we will continue our own investigations into these crimes. Soon we will be undertaking a national tour of a dozen cities promoting a message of unity through dialogue among the various racial and ethnic groups in our country. We will hold ecumenical services and town meetings. We will engage local communities in frank, open discussions about racism and we will explore what we can all do pro-actively to confront this disease.

Fire can destroy or it can galvanize and purify. The burning bush in the story of the exodus in the Hebrew scriptures was not consumed but rather was a prelude to liberation. The site of burning bush became holy ground, the initiation of a movement. This prompts us to recall the image of the refiner who sends precious metals through the fires to burn away the impurities and leave that which is most valuable.

Is it possible that these fires can galvanize this nation and initiate a movement that will mobilize us against racism, white supremacy and hatred in all of its forms? It is possible that these burned sites can become our holy ground on which we build and restore community? Is it possible that these fires are moral demands that we submit ourselves to the painful process of honest and truthful engagement in communities, hamlets, towns, cities, and rural countrysides until we are purged of our intolerance and of all attitudes of superiority?

Yes, we believe all of the above to be possible and we trust that the good people of this country will respond in such a way that will turn tragedy into triumph.

To you, Mr. Chairman and members of the Senate Judiciary Committee for this opportunity to share our thoughts and perspectives.

**THE CHAIRMAN.** Mr. Reed, we will take your testimony at this time.

#### **STATEMENT OF RALPH E. REED, JR.**

**Mr. REED.** Thank you very much, Senator Hatch, and I want to join all the other witnesses in commending you for your leadership for this committee helping to bring this tragedy to the attention of the American people and to ensure that it is vigilantly prosecuted.

**THE CHAIRMAN.** Thank you.

**Mr. REED.** I am Ralph Reed, executive director of the Christian Coalition and I am pleased to be here today to appear before this committee to join with others in the faith community to speak out against these unprecedented acts of bigotry and hatred and terror against the church in general and against the African-American church in particular.

Joining me today is Rev. Earl Jackson, who is the national director for Community Development for the Christian Coalition, and he has been spearheading our efforts to work with these churches and to assist law enforcement and all others interested in solving them and bringing those responsible to justice.

Those who have proceeded me have already indicated the width and breadth of this problem. There have been 23 black churches and another 11 white churches torched or firebombed just since January 1 of this year. There have been somewhere in the neighborhood of 8 to 10 just this month alone. It is the greatest outbreak of violence against the African-American church since the height of the civil rights movement 30 years ago.

There are haters in our society, haters and bigots who are seeking to fan the embers of racial enmity, who are seeking to incite bigotry, and who are stirring up division, hatred, and strife. They are reminders of an earlier and painful time in our history when

some twisted the cross of redemption into a crooked swastika of ethnic bigotry and when some traded the robes of repentance and reconciliation into the white and cowardly sheets of hatred.

Why has the Christian Coalition made this such a major priority? Because, Mr. Chairman, we believe that an attack on any house of worship is an attack on all who worship God. It is an attack on the entire faith community, whether they do so in black churches, white churches, synagogues, or Muslim mosques. We believe that we must make it clear that we are uniting across racial and denominational barriers and walls that once divided us so that no one has any doubt that whites will stand together and shoulder and shoulder with their African-American brothers and sisters and that this bigotry will not prevail.

Martin Luther King said that racism is still the hound of hell which dogs the tracks of our civilization, but he had hope and he dreamed of a better day. "Racism is a tenacious evil," he once wrote, "but it is not immutable." I extend a hand of friendship and fellowship to all in the faith community that have engaged this issue—my brother, Rev. Mac Charles Jones, the National Council of Churches, the Anti-Defamation League, the NAACP, the Southern Christian Leadership Conference and many others—and we will work together and coordinate and cooperate to stop this senseless violence and to rebuild these sacred places of worship so that they can once again be what they have always been, symbols of faith and love and forgiveness and hope in a dark and dying world.

As you know, Mr. Chairman, the Christian Coalition was one of the first organizations to urge congressional action in this area. I, along with many other profamily leaders, signed a letter to you and to Chairman Henry Hyde of the House Judiciary Committee on February 22 of this year calling for hearings on these church bombings. On April 22 of this year, we held a news conference with a number of African-American ministers and pastors and offered a \$25,000 reward to anyone who could provide information leading to the arrest and conviction of those persons or person responsible. Along with other organizations, that reward now exceeds over \$100,000.

As was already alluded to earlier in the hearing, we have called on the Treasury Department to dismiss those agents of the Bureau of Alcohol, Tobacco and Firearms who have been involved in racist activities or who attended the Good Ol' Boys Roundup. We do not understand to this day why any agent attending such an activity was assigned to any church bombing or any act of church arson.

We have also decried the tactics which have also been alluded to already today of some Federal law enforcement officials who, upon arriving at locations of church arson and bombing while, frankly, the embers of that church were still glowing, asked pastors to take polygraph tests, requested membership lists so that church members could also be asked to submit to a polygraph test, suggesting, we think in a very insensitive and painful way, that it was the church members who might have been responsible for this rather than others who have committed the acts of bigotry.

We commend you for your leadership in this committee in the passage of the companion legislation to the Hyde-Conyers bill, which also passed in the House on June 18. Let me, before I close,

Mr. Chairman, raise one other issue that I don't believe has been raised yet today that we feel deserves the scrutiny of this committee. We have found that about a third of the churches and pastors with which we have had contact have indicated that they have either had their insurance policies terminated either prior to or subsequent to acts of arson or they have had the threat of those insurance policies being terminated issued by the insurance companies.

We had one pastor of an evangelical African-American church in Atlanta who shared with us a situation that occurred within the last couple of years where there was a hate crime against the church. Someone entered the church and vandalized it, destroyed the organ and the piano, defaced and wrote racial slogans on the wall. After reporting that incident, their policy was terminated and 2 weeks later the church was burned to the ground. We believe that this committee should investigate the treatment of these victimized churches by insurance companies to determine if civil rights laws or any other Federal statute has been violated.

Mr. Chairman, we have established a Save the Churches Fund at the Christian Coalition and we are receiving an outpouring of contributions. Our goal is to raise between \$500,000 and \$1 million, every dime of which will go toward rebuilding these churches. We have earmarked Sunday, July 14, and Sunday, July 28, as racial reconciliation Sundays, and we have also established an 800 number so that people can call and make contributions. All of the administrative and fundraising expenses associated with that fund will be absorbed by the Christian Coalition and every penny raised will go toward direct grants to rebuild these churches.

We cannot tolerate these acts of violence or desecration. We urge this committee and Congress to continue what it has already done, and that is to make this one of your highest priorities. We believe that if we will fight these deplorable acts together, black and white, serving one God and loving our country, we can bring the American people together and we can end this senseless violence.

Thank you very much.

[The prepared statement of Mr. Reed follows:]

PREPARED STATEMENT OF RALPH E. REED, SR.

Mr. Chairman, members of the Committee, I am Ralph Reed, Executive Director of the Christian Coalition. I appreciate very much the opportunity to appear before you today to speak out as a member of the faith community against an unprecedented rash of acts of hatred and bigotry against the African American church. Also with me today is Reverend Earl Jackson, Christian Coalition's National Director for Community Development, who testified last month before the House Judiciary Committee on this same topic.

First, Mr. Chairman, let me express my sincere gratitude to you and the other members of this distinguished committee for holding these critical hearings to focus the Nation's attention on these deplorable acts of arson against our places of worship. According to press accounts and reports by the Bureau of Alcohol, Tobacco and Firearms (BATF), during the past eighteen months, 35 predominantly African-American churches have been victims of acts of bombings and terror. Twenty-three of those black churches and another eleven white churches have been torched just since January 1 of this year. It is the greatest outbreak of violence against the black church since the height of the civil rights movement.

As this century commenced, W.E.B. Dubois predicted, "The problem of the twentieth century will be the problem of the color line." He feared that this century would end with the calamity of a race war. Today, it appears that some seek to make this prophesy a deadly reality. There are haters in our society who are seeking to fan the embers of racial enmity, to stir up bigotry, to encourage division, hatred and

strife. They are reminders of an earlier time in our history when some twisted the cross of redemption into a crooked swastika of ethnic bigotry, and when others traded in the robes of reconciliation for the white sheet of hatred.

Why has the Christian Coalition made this such a major priority? Because we believe that an attack on any house of worship is an attack on all who worship God—whether they do so in black churches, white churches, Jewish synagogues, or Muslim mosques. An act of violence against any church is an assault on the entire faith community, and we must unite across the racial and denominational barriers that once divided us to make it clear that whites will stand shoulder to shoulder with their black brothers and sisters, and that this bigotry will not prevail. To us, the racial motivation behind many of these attacks is obvious, and that is why it is so imperative for us to act decisively before this contagion spreads like a cancer.

Martin Luther King said that racism “is still the hound of hell which dogs the tracks of our civilization.” But he had hope of a better day. “Racism is a tenacious evil,” he wrote, “but it is not immutable.”

Let me be clear. We come not in haughtiness, but in humility. We come not in righteousness, but in repentance. We come not to preach, but to listen—and to learn—from those who bear the scars of the struggle for racial justice, a cause which in the past, the white evangelical church has failed to embrace to its great shame. It is a painful truth that the white evangelical church was not only on the sidelines, but on the wrong side, of the most central struggle for social justice in this century. So we come with broken hearts, a repentant spirit, and ready hands to fight this senseless violence.

To those who say we come too late, or we come with impure motives, or we come only after others have paid a far greater price with their treasure, their blood, and in many cases, their lives, we acknowledge the pain of the past. That is why we are honored to have as our National Director for Community Development, Reverend Earl Jackson, a bridge builder who has fought discrimination as a black pastor and also has reached out to white brothers and sisters of good will. Rev. Jackson has served as minister nearly twenty years when he could have been pursuing the financial rewards of a Harvard law degree. He speaks not only to the black churches and pastors of our sincerity, but to us of their pain. Our commitment to racial reconciliation is made concrete by the work of Rev. Jackson. His presence underscores that we are here not because of our politics, but because of our religious faith. We are not acting on behalf of any political party or candidate, but on behalf of our risen Lord and Savior. To us, defending the church is not about politics, but about principle. So we issue a call for peace and mercy, and we call on all sides to lower the temperature, cool the rhetoric, and use this senseless tragedy not to divide, but to unite all Americans to rebuild the charred remains of our churches and heal our troubled land.

I extend my hand to my fellow Christian, Reverend Charles Mac Jones, and pledge my solemn word to work together to fight this senseless violence, seek swift justice for those responsible and rebuild these sacred places of worship so they can continue their missions of faith, love and forgiveness and provide hope to all who seek it. As Rev. Jackson said in his testimony before the House Judiciary Committee on May 21, “The most powerful institution for transforming and improving the lives of all people in America is the church. When the church is under attack, the very soul of the community is under attack.”

Mr. Chairman, the awakening of America’s consciousness to these attacks suffered by the black community has, regrettably, only been due to the increasing number of attacks occurring. With 10 church burnings occurring in the Southeastern United States in one month alone—in June of 1996—America has been forced to recognize this as a problem of national importance.

The occurrence of hate crimes at places of worship in general, including mosques and synagogues, is not infrequent. According to reports by the Federal Bureau of Investigation, 162 religiously-biased hate crime incidents occurred at churches, synagogues and temples in 1994. In 1993 there were 187 incidents at houses of worship, and in 1992 there were 162 incidents at churches, synagogues and temples.

These religiously-biased attacks against people of faith and their places of worship serve as an ugly backdrop for the flagrant bigotry against the African-American community exhibited in the recent church burnings. By attacking these African-American churches, those responsible have been able to impart a particularly effective message of racial bigotry because the church, and the faith it symbolizes, has long been of such central importance to the African-American community.

According to press accounts, the Bureau of Alcohol, Tobacco and Firearms [BATF] has conducted 154 investigations of church fires in general since October of 1991. But the number of investigations of fires at African-American churches has significantly increased in 1996. Nearly 40 investigations of suspicious church fires in the

Southeastern United States have taken place since January of 1995. Most of these churches have predominantly African-American memberships.

The Federal Bureau of Investigation testified on May 21 that "[o]f the 42 pending FBI investigations, 32 church fires have occurred in the Southeast alone." All but three of the 32 Southeastern churches have predominantly African-American congregations.

What I hope this Committee will endeavor to learn is the extent to which our law enforcement agencies are using their resources to get to the bottom of these attacks as quickly as possible. For example, Christian Coalition urges this committee to investigate why at least two agents originally assigned to this matter were involved with the racially offensive "Good Ol' Boys Roundup" in Tennessee. Who made such assignments and why? What was done after the connection to this racist activity was discovered? As we have said in the past, we renew our call today for the Treasury department to dismiss any law enforcement official who acted with racially bigoted motives. We will not rest and trust that this committee will not either, until the Executive Branch of the Government and its federal law enforcement agencies do their most fundamental duty—that which inspired the very birth of this nation: Protect the First Amendment right of citizens to worship their God.

Like so many others, the Christian Coalition has joined in publicly rebuking these acts of bigotry. But we have not stopped there. We are using our skills, vast resources for grassroots mobilization, and national stature, to put this speech into action.

On February 22, I and other pro-family leaders signed a letter to you, Mr. Chairman, and Chairman Henry Hyde of the House Judiciary Committee, calling for hearings on the church bombings. Two months later, on April 22, we held a news conference with African American pastors and offered a reward of \$25,000 to anyone who could provide information leading to the arrest and conviction of those responsible. We also called on the Justice Department to make this investigation its highest priority, and we called on the Treasury Department to dismiss agents of the Bureau of Alcohol, Tobacco, and Firearms who had been involved in racist activities such as the "Good Ol' Boy Roundup." We also decried the tactics of some law enforcement officials who asked pastors to take polygraph tests, and asked church members to do the same, suggesting that they were suspects in these acts of bigotry. Last month, in his testimony before the House Judiciary Committee, Reverend Jackson urged vigilant congressional oversight and following that hearing, Chairman Hyde and Ranking Member Conyers sponsored legislation to give federal law enforcement greater leeway in investigating local acts of violence. Last Tuesday, June 18, the House approved that bill, H.R. 3525, The Church Arson Prevention Act, by a vote of 422-0.

That same day in Atlanta, Georgia, Reverend Jackson and I held a summit with many pastors of these fire bombed churches from across the nation to hear their heart wrenching accounts of the terror and trauma they endured as their sacred houses of worship were ransacked, defaced and ultimately burned beyond salvage. What is even more troubling is the fact that many of these pastors were told by their insurance companies that their policies would be terminated. I have with me and would like to submit for the record, letters and statements from some pastors which detail the circumstances surrounding the cancellation of their insurance policies. I would again call upon this committee to look into this particular matter to see what can be done to ensure the continued protection of these buildings once they are rebuilt.

Also during this summit meeting, the Christian Coalition launched a broader campaign against bigotry by announcing the establishment of the "Save the Churches Fund," a special fund by the Christian Coalition to provide financial assistance to churches that are rebuilding. This fund will also be used to provide security measures such as motion detectors, alarms, floodlights and smoke detectors to churches that have been or could be targets of bombings. We are sending an appeal to approximately 100,000 churches on our mailing list asking them to take up a special collection beginning on Sunday, July 14, which we are designating as "Racial Reconciliation Sunday." Our goal is to raise an estimated \$500,000 to \$1 million that will go directly toward rebuilding burned and bombed churches, both black and white.

As a result of our efforts, we have already begun to receive numerous calls offering help and services. The donation of a piano, light fixtures from a store, the services of young people through church youth projects, and financial donations from other churches have all been generously offered. The outpouring of support has touched the hearts of many of our African American brothers and sisters and reminded us all that out of the ashes of a curse, we can build a glorious new blessing. We have a legacy of racial division in our country, but we can have a future of racial

reconciliation. We believe this issue transcends politics and ideology and that we can indeed be one nation under God, working together for liberty and justice for all. Today we extend a hand of love and support not only to those churches which have been victimized, but a hand of peace to all who want to help in a spirit of our common humanity, even if we have disagreed and may in the future disagree on specific issues.

To those who have committed these acts of violence, we say that your hatred will not overcome our love. We will seek you out, we will bring you to justice, and we will see that you receive a swift and sure punishment for these acts of violence and bigotry. We cannot tolerate acts of violence or desecration stemming from racial or religious bigotry and urge Congress to do all it can to see that this destruction ceases. Mr. Chairman, members of the Committee, you have our pledge as symbolized by my work with Rev. Jackson that we will continue to fight these deplorable acts together, black and white, serving one Lord, loving our country and seeking to bring all Americans together.

Twenty-eight years ago, Robert F. Kennedy gave a speech to a multiracial audience in inner city Indianapolis and delivered the tragic news of Martin Luther King's assassination. "For those of you who are black," he said, "you can be filled with bitterness, with hatred, and a desire for revenge. We can move in that direction as a country, in great polarization \* \* \* Or we can make an effort, as Martin Luther King did, to understand and to comprehend, and to replace that violence, that stain of a bloodshed that has spread across our land, with an effort to understand with compassion and love." It is in that spirit that we move, in Kennedy's words, "dedicat[ing] ourselves to what the Greeks wrote so many years ago, to tame the savageness of man and make gentle the life of this world."

Thank you.

The CHAIRMAN. Well, thank you. Now, Mr. Reed and Reverend Jones, we would like to have the names of the churches and insurance companies where coverage was canceled in writing, you know, after the hearing, if you could do that for us.

Mr. REED. Mr. Chairman, I brought with me some letters from pastors with the policy numbers and the companies involved.

The CHAIRMAN. We would like to have that information.

Reverend JONES. We can also provide—

The CHAIRMAN. Would you be kind enough?

Reverend JONES. Yes.

The CHAIRMAN. Reverend Mouzan, I am going to give up my question time so you can make any comments you would like on my question time because we are delighted to have you here and we are happy that you are willing to participate in our hearing. So if you would like, you can take my time.

#### STATEMENT OF JONATHAN MOUZAN

Reverend MOUZAN. Thank you, Mr. Chairman. As I told Dr. Jones this morning, this is not my arena.

The CHAIRMAN. You are welcome here, and you just relax and you just tell us what happened to you and your congregation.

Reverend MOUZAN. Last night when I was told that I may have to witness here, I thought of sitting down and trying to write out some type of speech, but I want to give you a sense what it is for a pastor to lose a black church. If I could take you down a country road in the rural South, there is a wooden building that sits on about an acre of land. The building itself is not worth to maybe those of you here a whole lot, but it means a great deal to those who own that building. It is a legacy. It was given by the parents and the grandparents of those who now occupy that building.

This building is where we teach our children to do the right thing. This is where we teach our children that you are worth something. This is the place where we tell our young men to work



hard and be productive. This is all we have, and we work for \$6, \$7, \$8 an hour and over a period of years we pay for and we own this building. This is ours, and in one night, because somebody hates us because of who we are, this is taken from us. We are left with nothing. Now, we are faced with rebuilding, and because this is all that we have, we are even forced to mortgage the land that this building is on. So not only has our building been taken, but our land is also gone.

I am going to close with—I was trying to comfort and counsel the members of my church and I was asked two questions that have stayed with me. I was asked by one of our youth, pastor, does this mean that God is no longer on our side, and then by one of our older parishioners, pastor, are we allowed to own anything?

Thank you.

The CHAIRMAN. Well, thank you. It couldn't have been more eloquent than you were, and these buildings are worth a great deal to us, to all of us, and what happened to you and your congregation is unforgivable. So we want you to know that we are going to do everything in our power to see that that doesn't happen again, and hopefully there will be an outpouring of people all over this country who will help you to rebuild that building that means so much to those individual people who come every Sunday.

Some of us know what it is like to worship in a very humble, small building. My early years were spent in a very humble converted Jewish school that we made into a church, and I have to say that I have been in a lot of impressive church buildings since, but nothing that meant as much to me as that little old converted Jewish school where I learned to appreciate the important things in life.

So I want to commend you religious leaders. Each one of you has stood up, each one of you is making a difference, and I hope we can end this type of violent behavior, this type of bigoted, offensive behavior. Your testifying here today, I think, goes a long way toward helping everybody in America to realize how serious this is, so we are grateful to have you here.

Senator Biden, we will turn to you.

Senator BIDEN. Reverend, words attributed to John Locke several hundred years ago went like this. He said, "He spoke words that wept and shed tears that spoke." I think your testimony was as close to that as I have heard in a long time here, so my advice to you is don't ever write anything down, just continue to speak from your heart.

I would respectfully suggest, Reverend, that you will be able to tell that young man who asked if God is any longer with you—I think you will be able to tell him as that church is rebuilt about the legacy, the continuation of the legacy of what happened down that dirt road. Down that country road 200 years ago, there used to be, probably—I don't know where your church is—there used to be another wooden building and that wooden building had slaves in it. I wouldn't be surprised, not knowing specifically where you are, but if it is like the southern part of my State, those country roads where there are now black churches, there were black slave dwellings along those roads.

I expect that you are going to be able to tell him and your successor will be able to tell his children that this was one more step, one more piece of the legacy about the resilience of black Americans and how they have not given up. So I would suggest to you, to use an old expression, I bet you are going to be able to turn lemons into lemonade before this is over and maybe strengthen the faith and resolve of that young man.

Mr. Reed, I compliment you for your candor, and I am assuming you and other leaders of the Christian Coalition, for stepping forward because maybe part of the legacy is that the difference between now and then is that, as you say in your statement, folks that are representative of now what is the representative group of evangelicals in America were the folks burning those churches 30 years ago. So there is a little bit of progress.

Mr. Reed may not agree that your folks should get a raise in the minimum wage, but he may agree that your folks in that church should be treated as all Americans. I really mean it sincerely when I say that I think you have done a good thing here.

As a practicing Catholic, I always thought Christianity was about tolerance. I thought the ultimate dictate from Christ was to do unto others as you would wish them to do unto you, and that translates to me as tolerance. So I think this all by itself, the three of you sitting at this table, is an incredibly positive step.

I just want you to know, Mr. Reed, I disagree with the Christian Coalition on a lot of things; their political agenda I disagree with. I don't think I disagree with much on the religious agenda, but I am willing, as many people are here, just like you, to reach out and join you and all the black ministers and the black community in doing what I think is an important thing to be done. I think this panel is a statement, a statement that maybe we are beginning to turn the corner.

You know, I don't want to be too philosophical about this, but my mother, who is a very devout Irish Catholic—any time anything bad happens, she says there is a purpose; God did this for a purpose. When my family was lost, she said there is a purpose in this. When I get sick, there is a purpose. It used to drive me crazy. I would say to her sometimes, mom—you know, you would come home and you would say, mom, the following bad thing happened. She said something good will come out of this, when you wanted her to say, gosh, you know, that is awful, that is terrible.

Well, I don't want to be too homily in my analogies here, but I think truly maybe we are beginning to see something immediately good coming out of this bad, something we have not seen in this country in the time that I have been alive, the time that I have been involved, and that is people with very different backgrounds reaching across what has been a chasm to say, hey, we are not going to tolerate this. So my public compliments to you.

My apologies to you and Reverend Jones for, in the middle of your testimony, having to get up. There is a piece of legislation on the floor that I have two amendments relating to, and so I find myself getting pulled back and forth. My time is up. I compliment you all. Reverend, keep speaking without notes, keep speaking without notes.

Thank you.

The CHAIRMAN. Thank you, Senator Biden. I think everybody here should know that the House just passed the bill, so it is on its way to the President. So that ought to make everybody here feel pretty good.

Senator SPECTER.

Senator SPECTER. Thank you, Mr. Chairman. I join my colleagues in thanking you gentlemen for your testimony today. I think this hearing has been a very forceful demonstration of the commitment of the Senate and the Congress to achieving these joint efforts.

Mr. Reed, I was interested in your testimony especially about the use of the lie detector tests and the questions bearing on the integrity of the people at the church. One of the questions which had been on my mind is also one which you raised about the Alcohol, Tobacco and Firearms unit with respect to the so-called Good Ol' Boys Roundup.

This committee had intended to have a hearing as a followup to the Ruby Ridge inquiry on Alcohol, Tobacco and Firearms as to what ought to be done with that agency, and I met with Treasury Secretary Rubin and Alcohol, Tobacco and Firearms Director Magaw and they requested that we defer the hearing because of the issue of criticism of that agency at a time when they were conducting these investigations.

I think we have to be very sensitive to what is going on with Alcohol, Tobacco and Firearms. In the Ruby Ridge inquiry, we found that they had misrepresented what Randy Weaver had done with respect to saying he had prior convictions, misrepresented an assertion that he had been a suspect in a bank robbery case, so that any information about what they are doing here was going to be scrutinized very, very closely, and we will look into it.

On the issue of the cancellation of insurance policies, if there is a discriminatory purpose here, there are existing laws on redlining where we have found insurance companies striking out sections of entire cities, like my home town, Philadelphia, where it has been directed really at the African-American community, or at least the areas which have been affected, if not intentionally, at least in terms of the results. So I share what the chairman has said to you about our concern in that particular line.

We are looking forward to some really tough prosecutions here to set an example on deterrence, and the statute which we passed in the Senate 98-0 yesterday involves some Federal guarantees on rebuilding of the churches; little concern, candidly, as to the constitutional issue, but I think that is one where we ought to be as helpful as we can within constitutional bounds. I note your organization, Mr. Reed, is putting funds up and I think that is a very good idea. When we reach out to one another across religious denominations, that is a very, very solid sign.

So I thank you for your testimony, gentlemen, and we will work with you together.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Specter. We appreciate all the work you have done.

Senator HEFLIN.

Senator HEFLIN. You know, every disaster that occurs causes us to have deep feelings, but some way or another profit as a basis

of this. Senator Biden mentioned turning the bad into good, and how to take steps to turn the disastrous occurrences that have occurred into an opportunity to the furtherance of racial improvement and harmony enters my mind and I see an opportunity for churches in a community, white and black, to come together and to have a coordinated effort.

Wouldn't it be great to see in these communities a group from the white Baptist church or the white Methodist church or the white Assembly of God joining in the rebuilding with the members of the particular church, such as you have in South Carolina? They would come together and you could see a white hand holding the nail and the black hand holding the hammer or the saw and working together in regard to it. That would be an effort.

There used to be an old expression that if you play a piano and you play all the white keys by themselves, it doesn't make music. If you play all the black keys by themselves, it doesn't make music. But when you play them both—and this seems to me to be an opportunity for people of good will to come together and help.

At the dedication or consecration of a church after it has been rebuilt, to have members of churches from the white community to come and participate in that dedication—I think it is an opportunity that could be turned into a lot of good will and improvement, and I hope that each of you and your organizations can take steps to try to find a way to improve race relations.

Reverend JONES. Mr. Chair.

The CHAIRMAN. Yes, Reverend Jones?

Reverend JONES. I think it would be helpful to note that one of the things that is happening even as we speak is that the National Council of Churches, in cooperation with the Habitat for Humanity, is literally coordinating multiracial teams that come from virtually every religious denomination, that come from all over the country and come from people who are not a part of a, "Christian fellowship," but who want to give of themselves in that effort. So one of the very things that you raise is one of the very things that is, in fact, happening as these teams will be disseminated.

Senator HEFLIN. Well, that is great.

Reverend JONES. The other thing that I want to keep raising before us, though, is that we do not substitute the rebuilding of churches for rebuilding community, and that if we are going to talk about prevention over the long term, then there has got to be the reaching out and the dialog at the issues of cutting edges while communities are hurting. It is at that level, I think, where we really develop common ground, where we really have, again, the painful dialog of communities that are literally separated from each other, and I think that is one of the good possibilities that arises from this.

The CHAIRMAN. Thank you so much, Reverend. Thank you, Senator Heflin.

Senator Abraham, we will end with you.

Senator ABRAHAM. Thank you, Mr. Chairman. I will be brief. I just would join you and the other members of the committee and certainly all of our witnesses in deploring the acts that have occurred that bring us here.

I was trying to think when we were hearing the specific experience of one church here how I would feel if this happened to my church. I actually have a bit of a perspective, although it is by no means a close one, but a few months ago, literally right before Palm Sunday, my church in Livonia, MI, burned to the ground. It did not burn to the ground because of the intentional acts of anyone. It just burned to the ground because of an accident that occurred.

But I know how everybody felt about this and the way they felt was not—I mean, it was quite passionate and quite deeply felt. I can't imagine how we would have felt if the reason that that had occurred was an intentional act by anyone, let alone an act that was born in hatred and in bigotry. So it is very important that we have these hearings to make us all reflect beyond simply stories in newspapers on what is involved here and what it means to people who are the targets and the victims. Obviously, we have done that today and I really am grateful that we have had the hearing.

Happily, as some have said, positive things are occurring and I would like to compliment Mr. Reed and his efforts and the efforts of the Christian Coalition. I think they are very admirable, and obviously the National Council of Churches' efforts. In the Detroit area, I know that our NAACP organization has moved forward to try to put together funds for this. In fact, later today I hope to be able to talk with Reverend Anthony, who is the head of our local chapter, because I want to help in that effort there in Michigan.

I don't really have a lot of questions, Mr. Chairman. There was just one thing, though, that Reverend Jones raised that I would like just a little bit of information on because I have heard about this a little bit, but I don't know much about the specifics, since it is an issue that we have kind of touched on a few times in our communities, and that was your reference to information over the Internet which is eliciting behavior by minors and young people to engage in these acts.

I just wondered, without going into all of the details, if you might just enlighten us a little bit and then maybe provide us with whatever additional information is appropriate.

Reverend JONES. First, let me just say that the Center for Democratic Renewal, which is located in Atlanta, GA, is really the research entity and the investigative entity that has worked with us in this process. One of the things that we have found out—and this is not just during this period—is that messages in a very open way are passed on the Internet by these hate groups identifiably, and some of the conversation has been about the burning of churches and the urging of individuals to take action.

One of the things that we are constantly having to deal with is the use of these young males being directed by some of these groups. For instance, one of the things you will find out in the trial in Tennessee, in the Clarksville area, is that part of the initiation rite for the Aryan factions was that you had to either burn a church, burn down a home of a black family, or lynch a nigger. That was the language that was used in the conversation.

In South Carolina, there are 400 or 500 young folks, by the testimony of one young man, who are under the leadership of Adolph. Obviously, Adolph Hitler is the—and these young folks understand

their task to be the trashing, vandalizing and burning down of churches. So this conversation is going on among these groups within States on the Internet. I mean, it is a real operation out there that has to be looked at as more than teenagers doing pranks or just deciding that we want to burn down—it is far more than that.

Senator ABRAHAM. Well, I look forward to finding out more. As the chairman knows, we have been discussing—I guess it was maybe at our last executive session, or 2 weeks ago, perhaps, how to respond to the Federal court decision which basically argued that the legislation which we had previously passed involving the Internet was unconstitutional. Certainly, there are major constitutional issues afoot, but I think a lot of that legislation was done sort of speculatively about what might be happening and maybe we need to get a better grasp, or at least I do—probably, other members of the committee are better informed—as to what actually is happening to determine what our constraints are and what our constitutional constraints are and what our legal rights are to try to not just protect against these kinds of crimes being incited, but presumably others as well.

I don't know if any of the other panelists would—

Mr. REED. Senator Abraham, I would just quickly add on that that, as you know, our organization was one of the leading groups that worked on behalf of the passage of the Communications Decency Act. It passed overwhelmingly in the Senate. We are very disappointed by the court decision. Of course, we don't yet have a final outcome to that yet.

Senator ABRAHAM. Right.

Mr. REED. But we believe that if, in the end, we have an adverse court decision that that legislation can be redrafted to address the constitutional concerns that the courts have raised in a way that would help put an end to the kinds of acts that would incite violence that Reverend Jones has indicated today, as well as some of the child and hardcore pornography that we were concerned about.

Senator ABRAHAM. Well, this seems like another area where we have got two or three extremely similar concerns here that we can all work toward trying to address, and I look forward to doing that and thank the chairman again for the hearing today. I appreciate it very much.

The CHAIRMAN. Thank you, Senator. Well, we want to thank everybody for their efforts at this hearing. We think it has been a worthwhile hearing and it was very historic because right in the middle of it, right in the middle of your testimonies, the bill finally passed both Houses of Congress. It is now being sent to the President and we hope that it will make a difference for all people, but especially black churches that have been so particularly singled out in these very trying times. I can't understand why anybody would participate in burning down a church, any church.

Reverend Mouzan, your eloquent and persuasive testimony here was really, really helpful to the committee because you just expressed in very simple, humble, Christ-like terms how important these buildings are, and that meant so much to me.

Reverend Jones, your testimony for and on behalf of so many in the religious community is something that just cannot be ignored.

Ralph, let's face it. The Christian Coalition stands for a lot of good things. Some people may differ with you politically, but they cannot differ with you from the altruistic service that the Christian Coalition, when it really gets going, provides, and you are a good exemplar of that. I have had Senator Kennedy today tell me privately how much he appreciated some of the remarks that you have made in this area and how you have stood up in this area and how you have been willing to take some slings and arrows from some really good people, but misinformed with regard to your intentions. I have to say that I really admire you and the work that you are doing, and others in the Christian Coalition.

Let's all strive to resolve these problems and keep our country free and keep religious freedom alive. The Religious Freedom Restoration Act is one of my proudest memories and it is one of the things I am most proud of in all the work that we have done here, and there have been many things that I feel good about, but that is one that I am most proud of and we have got to all fight for it because that is what keeps us free. That is what has kept this Nation the greatest nation in the world and has kept our Constitution alive for over 200 years now, and it is people like you who do it.

We can sit up here and pontificate and talk and ask questions, but it is you people who really make the difference. So we want you to know that and we appreciate it and appreciate the time you have given to us today. Thanks so much.

With that, we will adjourn until further notice.

[Whereupon, at 1:10 p.m., the committee was adjourned.]





# APPENDIX

## ADDITIONAL SUBMISSIONS FOR THE RECORD

NASW—NATIONAL ASSOCIATION OF SOCIAL WORKERS,  
*Washington, DC, June 27, 1996.*

Hon. ORRIN G. HATCH,  
*Chairman, Committee on the Judiciary,*  
*U.S. Senate, Washington, DC.*

DEAR SENATOR HATCH: On behalf of the National Association of Social Workers (NASW) and its 155,000 members, I would like to thank you and the members of the Committee on the Judiciary for the opportunity to submit a letter for consideration and for inclusion in the printed record of the Senate hearing on church burnings. NASW, the world's largest professional social work organization, is very pleased that the Committee has decided to hold these hearings.

NASW abhors the burning of black and interracial churches, and we stand in solidarity with the victims of these senseless acts of violence. The association is outraged by the racial hatred and intolerance that appear to be prompting these actions.

These acts of arson are robbing the nation of worship centers that sustain life and nurture the well-being of whole communities. Churches are places of worship, and they buttress the social fabric of a community—they house family support, counseling, day care, and elder care, and they are a gathering place for community action.

Because churches function as centers around which communities organize, this assault is an attack on our public lives and an affront to the core of our communities. The violence inherent in the burning of a single church seeps out beyond the individual building and has an impact on the entire community around it. Violence done to a congregation is violence done to all of us; none is untouched.

For a century the social work profession has been committed to action that promotes social justice for each member of society. The Code of Ethics, to which each of the 155,000 members of the NASW subscribes, requires all members to act to "prevent and eliminate discrimination" and "encourage respect for the diversity of cultures which constitute American society." The association has consistently maintained its strong support for social justice, civil liberties, and affirmative action, and we firmly believe these are benefits that strengthen the fabric of our society.

Our nation was founded on a premise of religious liberty and tolerance. The National Association of Social Workers sees the acts of violence against churches as a challenge for the people of every community in the United States to confront the paranoia of racial prejudice by asserting what it best in each other's nature. The distinguished professor Cornel West has said that "We are at a crucial crossroads in the history of this nation and we either hang together by combating these forces that divide us or we hang separately." If we hope to undo the vicious effects of prejudice, our leaders must call our communities together in a renewed spirit of hope and courage.

In this spirit, we have asked President Clinton to call for a National Day of Reconciliation to promote racial and ethnic harmony. We urge you to work with the administration to make such a day a successful reality. We also call upon citizens everywhere to work with communities whose churches have been damaged and in their own communities to extinguish the sparks of hatred. The nation's diversity must become not its undoing, but a source of strength, creative energy, and pride.

Sincerely,

JOSEPHINE NIEVES PHD, ACSW,  
*Executive Director, National Association of Social Workers.*

PREPARED STATEMENT OF DAVID A. HARRIS, EXECUTIVE DIRECTOR, THE AMERICAN  
JEWISH COMMITTEE

Mr. Chairman, my name is David A. Harris. I am Executive Director of the American Jewish Committee. I appreciate the opportunity to present this statement to the Senate Judiciary Committee.

The American Jewish Committee joins with all Americans of good will in shock and outrage at the burnings that have consumed over 50 churches, most of them black, in recent months. We commend the Senate Judiciary Committee for its decision to hold this hearing on these horrifying crimes.

For 90 years, the AJC has been dedicated to strengthening pluralism and intergroup understanding around the world. This epidemic of destructive acts against houses of worship, the offensiveness of which is compounded by the likelihood that many of the crimes have been racially motivated, is antithetical to the principles for which we have fought and continue to fight.

Those whose houses of worship have been desecrated must know that they are not alone and that we stand in solidarity with them. We commend the President and the Congress for raising public consciousness and making this a national issue. Against the background of these important efforts, we call upon the United States government and local authorities to intensify efforts to apprehend and prosecute those responsible for these crimes.

At the same time that we offer our prayers and sympathies to the victims, we also know that our faith calls on us to transform our concern into deeds. Thus, the AJC has joined with the National Council of Churches and the National Conference of Catholic Bishops to encourage generous private contributions from all Americans to rebuild the churches and restore the numerous social service and educational programs they sponsored. We count on the conscience of the American people and the spirit of private volunteerism that have contributed so much to America to aid in this important cause.

We three organizations have sponsored a joint advertisement in the New York Times and The New Republic (appended as Exhibit A), and held a joint press conference at AJC headquarters on June 19 in an effort to raise public awareness and generate contributions to the specially created burned churches fund. Also on June 19, AJC president Robert S. Rifkind and I sent a letter (appended as Exhibit B) to AJC's entire membership appealing for funds to help rebuild the black churches and restore their programs.

In addition, we applaud the action of both houses of Congress in acting expeditiously to enhance the protections afforded under federal law against attacks intended to interfere with the First Liberty of all Americans, religious liberty. Protection of houses of worship, the soul and spirit of the entire human family, is an issue with which AJC has long been concerned. We played a crucial role in conceptualizing, and pushing for passage of, the Religious Vandalism Act, 18 U.S.C. Sec. 247, enacted by Congress in 1988. We support action now under way in Congress to make that law even stronger and to provide other avenues of response to the reprehensible crime of church arson, as reflected by the passage by each house of its respective version of the Church Arson Prevention Act of 1996.

We are gratified to note that the bill passed by the Senate yesterday provides additional resources to the Department of Treasury and the Department of Justice to enhance law enforcement responses to these crimes (including increased support for the invaluable mediation and conciliation work of the Justice Department's Community Relations Service), and extends the mandate of the Hate Crimes Statistics Act, an important tool in the effort to gauge the magnitude of the hate crimes problem. On this last point, we would urge, however, that the mandate of the Hate Crime Statistics Act be extended permanently, as the Senate earlier authorized in passing S. 1624.

Razing churches can not destroy the spirit of the congregations that worship in them. History has shown that such acts of hate can not stop people of faith from engaging in prayer and religious study. In defiance of the goals of these criminals, the church burnings are bringing the victims of these attacks and Americans of all faiths and races closer together. This point was made eloquently by Rabbi A. James Rudin, AJC's director of interreligious affairs, in his June 20 column for the Religion News Service, a copy of which I am pleased to attach (appended as Exhibit C).

We must continue to combat bigotry and prejudice in all its forms. The American Jewish Committee looks forward to continuing to work together with you, Mr. Chairman, and the rest of the members of this Committee in that battle.

# It's A Burning Issue!

The burning of a house of worship is an assault on the soul and spirit of the entire human family. The fires that have consumed over 50 churches, most of them Black, leave an ugly, searing scar on the body of our nation.

All decent Americans are anguished and outraged by this sacrilege that dishonors the country. We are particularly concerned about the racist element in these attacks. But our sympathy for the congregations which have endured these hateful attacks and our sense of solidarity with them are not enough.

## What should we do?

- Government must intensify its efforts to apprehend and prosecute the criminals. Justice demands nothing less, and we will not remain silent until these attacks cease.
- The burned churches must be rebuilt and their programs restored. Your contributions will help this happen.
- We must continue to combat bigotry and prejudice in all its forms.

## In the name of God, do it now!

Please send your generous tax-deductible donations to:

The NCC Burned Churches Fund-NYT  
Room 880-A  
475 Riverside Drive  
New York, NY 10115

**THE AMERICAN  
JEWISH COMMITTEE**  
165 E. 56 Street  
New York, NY 10022

**NATIONAL COUNCIL  
OF CHURCHES**  
475 Riverside Drive  
New York, NY 10115

**NATIONAL CONFERENCE  
OF CATHOLIC BISHOPS**  
3211 Fourth St., NE  
Washington, DC 20017

## [EXHIBIT B]

THE AMERICAN JEWISH COMMITTEE,  
New York, NY, June 19, 1996.

Dear AJC Member:

As you know, there has been a devastating spate of attacks on churches in the U.S., particularly predominantly black churches throughout the South. Such attacks must be seen as an assault on all Americans of decency and good will, indeed on the very fabric and fiber of the America we cherish.

The AJC has joined together with the National Council of Churches and the National Conference of Catholic Bishops to form an interreligious partnership to respond to the attacks. Today's New York Times carried an ad of the three agencies, and the ad will appear in other media outlets in the weeks ahead. Moreover, we also held a joint news conference today, attended by all the major electronic and print media, that we hope will reach audiences far and wide. And, in recognition of our work, the AJC was one of ten organizations (eight Christian, two Jewish) invited to participate in a conference call today with President Clinton and Vice President Gore to discuss the current situation and to suggest strategies for the government to pursue.

During other such compelling crises, whether affecting Jews in Argentina, Kurds in Turkey, refugees in Rwanda or the hungry in Ethiopia, we have turned to you, our members, for support. You have always responded generously, permitting us as an agency to make substantial contributions to these worthy causes. Now we turn to you once again to ask for your financial contributions to allow us to participate in the rebuilding of the destroyed churches. AJC will assume all administrative costs. Thus, we will pass along one hundred percent of the contributions we receive to the effort, led by the National Council of Churches, to rebuild the churches, to restore hope, to reaffirm our common humanity.

Please send your check, made payable to the American Jewish Committee Burned Churches Fund, in the enclosed envelope. We look forward to your response.

Cordially,

ROBERT S. RIFKIND.  
DAVID A. HARRIS.

## [EXHIBIT C]

COMMENTARY OF RABBI A. JAMES RUDIN,<sup>1</sup> RELIGION NEWS SERVICE

"\* \* \* They have set your sanctuary on fire, and profanely demolished the dwelling place of God's Name to the ground \* \* \* determined to destroy us once and for all, they have burned down every meeting place of God in the country \* \* \* But do not forget your people!"

"\* \* \* O God, pick your steps over these endless ruins; the enemy has evilly sacked everything in the sanctuary \* \* \* Your adversaries have roared into the midst of your sacred meeting-places \* \* \*"

These powerful words could easily be the poignant cry of an angry pastor of a burned black church in the summer of 1996. But, in fact, they come from Psalm 74 and graphically describe the shattering feeling that overcame the people of ancient Israel when their Temple in Jerusalem was destroyed and burned to the ground.

Sadly, what is happening in America today is yet another painful chapter in an old and bitter story.

The racists who set fire to black churches are repeating the evil pattern of every bigot in history who foolishly believed that destroying a people's house of worship will also destroy a people's spirit and their will to live.

Bigots mistakenly think that a destroyed sanctuary means that children will not be taught their religion; congregations will cease worshipping together; there will be no more sages, teachers, elders, and prophets within the victimized community; no more choirs singing sweet songs of faith; and, ultimately, the people will disappear from the stage of history and the name of God will be forgotten.

Nothing, but nothing, is further from the truth.

Physical attacks on houses of worship always bring people closer together when they survey the ashes of their burned sanctuaries and hold hands in solidarity.

<sup>1</sup>Rabbi Rudin is the National Interreligious Affairs Director of the American Jewish Committee.

The destruction of the Holy Temple in Jerusalem, first by the Babylonians in 586 BC and again by the Romans 70 AD, is vividly recounted in the Bible and is permanently remembered in the prayers and liturgy of the Jewish people. Although unable to rebuild their Temple after the Roman devastation, Jews transferred their love and worship of God to thousands and thousands of assembly houses—synagogues—throughout the world.

Instead of succumbing to the despair that is so eloquently described in Psalm 74, the Jews made every synagogue a miniature and vibrant Temple of the spirit.

And when throughout history synagogues were burned by evil people, Jews transferred their prayers, teachings, and rituals to their homes. And when Jewish homes were burned and family members brutally separated from one another as they were during the Holocaust, religious life resided in each individual.

Today's racists who target black churches for destruction have something else in common with earlier evildoers: they clearly understand that houses of worship play a central role in the life of a faith community.

The church represents the single most credible institution within the entire black community. It is the one place, the central address, where a realistic theology of hope is still being offered to American blacks. The black church is the central political, cultural, and social focus of the community.

Although a house of worship is more than brick and wood, it is often forgotten that the black church, especially in rural areas of America, provides a host of social service programs that its members can not obtain anywhere else including pre-natal counseling, day care for youngsters, tutorial and vocational training, soup kitchens, medical treatment, and geriatric care.

Of course, the spiritual strength and religious fervor of the black congregations will not be diminished by acts of racist arson, but unfortunately, many vitally needed programs have been suspended or abandoned because of the church burnings.

Psalms and prayers are necessary during this tragic time of loss, but so, too, are vigorous prosecutions by the government to apprehend and convict the despicable arsonists who have carried out criminal actions.

And while pleas and petitions for help are also necessary, so, too, is the urgent need to rebuild the burned out churches and restore their essential programs.

To that end, the American Jewish Committee, the National Council of Churches, and the National Conference of Catholic Bishops have joined in an interreligious campaign of concern and have urged all Americans to contribute generously to the church rebuilding effort that is so desperately needed.

Contributions should be sent directly to the NCC Burned Churches Fund, Room 880, 475 Riverside Drive, New York, NY 10115.

It is important that people of good will do more than just lament the tragedy of these destroyed churches. From the ashes of hatred we must rebuild the house of God.

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#### PREPARED STATEMENT OF THE ANTI-DEFAMATION LEAGUE

ADL is pleased to provide testimony as the Judiciary Committee examines the very disturbing series of arsons which have occurred at Black churches across the South. Unfortunately, these fires serve as another graphic reminder that America's long struggle against racial and religious intolerance is far from over.

This issue transcends religious, racial, and political differences and must be of concern to all Americans—we all have a stake in effective response to violent bigotry. Hate crimes demand a priority response because of their special impact on entire communities.

Americans are a religious people and our houses of worship are, naturally, central to our community identity. An attack on a house of worship is much more than destruction of wood, brick, and mortar. Churches, synagogues, and mosques are places of refuge, sanctified spaces that serve as safe havens from the troubles of the outside world. Vandalism or arson at a house of worship desecrates a place that is designed to provide a link between men and women and their most spiritual aspirations. Because these structures are created to provide a bridge between a religious community and its G-d, the impact of damage and destruction of the building is very hurtful and very personal.

The Jewish community has a tragic, historical frame of reference when we speak of the destruction of our houses of worship. In many lands, at many times in our history, Jews have been persecuted, forcibly converted, and killed for our religious beliefs. Our synagogues have, too frequently, been the focus of attacks by anti-Semites.

Though it happened nearly six decades ago, the lessons of "Kristallnacht" are quite relevant today. On the night of November 9-10, 1938, Nazi-directed "spontaneous" demonstrations led to the burning of synagogues and Jewish institutions throughout Germany. That night, fires were ignited all over Germany. 191 synagogues were burned—the shattered plate glass that littered the streets of German towns and cities gave rise to the name associated with these events—"Kristallnacht" (The Night of Broken Glass). Nearly 100 Jews were killed and thousands subjected to violence, torture, and degradation. Over 7,000 Jewish businesses were destroyed. In the immediate aftermath of this program, more than 30,000 Jewish men were arrested and sent to concentration camps at Buchenwald, Dachau, and Sachsenhausen. This campaign of terror climaxed five years of anti-Semitic measures under Nazi rule and foreshadowed the Final Solution—the Nazi-inspired murder of six million Jews.

Throughout American history, churches and synagogues have provided a focal point for many major cultural and social movements. We especially recognize and appreciate the centrality of the church for the African American community. Churches served as stops along the Underground Railroad, voting registration posts during Reconstruction, and political headquarters during the Civil Rights Movement of the 1960's.

The recent series of suspicious fires at predominately Black churches in the south resonate so meaningfully because there is a historical context for these attacks. They remind us of Night Riders, cross burnings, and Ku Klux Klan terror that was centered on Black churches.

Many of the churches that have been burnt are small and rural—the core of a community's social, political, and economic life. Many of these churches offered educational facilities, day care centers, and voter registration and voting poll sites.

Destruction of a house of worship because of its religious character and other hate crimes leave all affected community members feeling isolated, vulnerable, and unprotected by the law. The fear, anger, and suspicion prompted by hate violence can damage the fabric of our society and fragment communities. To compound the pain and frustration of these fires, many Pastors and congregants have complained of perceived insensitive treatment by law enforcement officials conducting the arson investigations. While these officials are charged with examining every possible evidentiary lead, investigations of arsons at houses of worship must be conducted in a different manner than an arson at a factory. Law enforcement officials must be trained to identify, report, and respond to these crimes in an effective and appropriate manner, and to be sensitive to the unique requirements of working with victims of hate crimes.

#### *The Anti-Defamation League*

Since 1913, the mission of ADL has been to "stop the defamation of the Jewish people and to secure justice and fair treatment to all citizens alike." Dedicated to combating anti-Semitism, prejudice, and bigotry of all kinds, defending democratic ideals and promoting civil rights, ADL is proud of its leadership role in the development of innovative materials, programs, and services that build bridges of communication, understanding, and respect among diverse racial, religious, and ethnic groups.

Over the past decade, the League has been recognized as a leading resource on effective responses to violent bigotry, conducting an annual Audit of Anti-Semitic Incidents, drafting model hate crime statutes for state legislatures, and serving as a principal resource for the FBI in developing training and outreach materials for the Hate Crime Statistics Act (HCSA), which requires the Justice Department to collect statistics on hate violence from law enforcement officials across the country.

The attempt to eliminate prejudice requires that Americans develop respect and acceptance of cultural differences and begin to establish dialogue across ethnic, cultural, and religious boundaries. Education and exposure are the cornerstones of a long-term solution to prejudice, discrimination, bigotry, and anti-Semitism. Effective response to hate violence by public officials and law enforcement authorities can play an essential role in deterring and preventing these crimes.

#### *ADL responses to church arsons*

On January 12, 1996, following the firebombing of the Inner City Church in Knoxville, Tennessee, ADL sent a letter to Attorney General Janet Reno noting that "the destruction of a house of worship is the sort of heinous crime which warrants priority attention." In that letter, we stated that "even though local authorities in Tennessee are apparently discounting the possibility that this crime was connected to arson attacks against a number of other black churches in the state last year which remain unsolved, we believe the Justice Department ought to look into all of these

incidents, which may constitute not only violations of state criminal statutes, but also federal laws related to the vandalism and destruction of religious property.”

The League's Washington Office followed up on this letter in several conversations with Justice Department officials, and we subsequently received a written response from Assistant Attorney General Deval Patrick in February, advising us regarding federal investigations already underway.

Through outreach by our Regional Offices and in full-page advertisements in the New York Times, the Washington Post, and the Atlanta Constitution, ADL has been encouraging people of goodwill around the country to show their support for the victims of these tragic arsons. Together with the Urban League, we are collecting and will be forwarding letters of encouragement as well as donations from Americans willing to help these congregations rebuild.

On the legislative side, ADL has actively promoted modification of the 1988 federal religious vandalism statute to make it easier for federal authorities to investigate and prosecute attacks on houses of worship in appropriate cases—and more effectively complement existing state hate crime statutes. In our opinion, the intentional destruction of a house of worship because of the religious character of that property is exactly the sort of heinous crime which warrants priority attention.

H.R. 3525, the Church Arsons Prevention Act of 1996 sponsored by Rep. Henry Hyde (R-IL) and John Conyers (D-MI), amends 18 U.S.C. 247, a statute enacted by Congress in 1988 to provide federal jurisdiction for religious vandalism cases in which the destruction exceeds \$10,000. To date, the statute's restrictive interstate commerce requirement and its relatively significant damages threshold have been obstacles to federal prosecutions. We urged members of the Judiciary Committee to reduce or remove the damage threshold because we believe that the federal interest in cases of hate violence cannot be defined by dollars and cents. We are pleased that the House has now approved this measure without a damages threshold.

#### *Organized hate groups create a climate of intimidation*

Substantial testimony on the racially-motivated nature of many of these crimes was offered last month at House Judiciary Committee hearings on this issue. Although the investigations continue, ADL has documented the fact that a number of organized hate groups, including the Ku Klux Klan and neo-Nazi skinhead factions, have been involved in similar crimes, both in the United States and in Europe. Although ADL has seen no indication that these fires are part of a national conspiracy of domestic terrorism directed by organized hate groups, we should not be comforted by this fact. If it is not a conspiracy, it only means that individuals, in different parts of the country, often inspired by hate, are acting independently to commit these crimes. The League's Research Department is continuing a comprehensive effort to examine a broad spectrum of hate group publications for any references to these arsons which might be relevant.

Also at the national level, several weeks ago we wrote to the leaders of two large, prominent national associations of black churches, sharing ADL's handbook Security for Community Institutions. We have also made available our factfinding resources concerning extremist groups active in the areas where these arsons have occurred to civic leaders, members of the affected congregations, and law enforcement officials investigating these crimes.

In the South, our offices in Atlanta, Dallas, Houston, Miami, New Orleans, and Norfolk have made response to these church burnings a priority, reaching out to contacts in the African-American community to see how we can most effectively be of assistance. ADL professionals and our leadership have participated in community institution security conferences, organized community-wide coordinating sessions on the arsons, met with federal, state, and local law enforcement officials to share information on the investigations, and communicated with Pastors and congregants from a number of the affected churches to offer assistance and support.

ADL's Legal Affairs Department is also working with regional staff to review existing hate crime statutes in the affected states to determine if they need to be supplemented, updated, or revised to address this crisis. In addition to enhanced penalties to deter hate-motivated crimes, we have promoted laws to make civil remedies available to enable victims of these crimes to recover damages directly from the perpetrators. We have begun contacting appropriate officials, including state legislators, to urge that any gaps in those laws be filled expeditiously. A chart which provides comparisons of existing hate crime statutes in the southern states is attached.

#### *An action agenda to confront church arsons and hate violence*

Some editorial writers—and some policymakers—have focused their attentions, almost exclusively, on the need to find and prosecute the perpetrators of these crimes. While solving these crimes is critically important, ADL believes that our nation's

response to this rash of arsons should be more ambitious and comprehensive than mere efforts to ensure swift and sure punishment for the perpetrators:

(1) Focus public attention on these arsons and demonstrate support for the victims of these arsons. We commend the Congressional Black Caucus for holding these hearings and for focusing national attention on this important issue. Hate crimes are designed to make the victims feel vulnerable and alone. We must act to ensure that it is the bigots and the hatemongers that are isolated.

(2) Congress should enact legislation to make it easier for federal authorities to investigate and prosecute attacks on houses of worship. We welcome the recent progress toward enactment of the Church Arson Prevention Act of 1996.

(3) Congress should enact legislation to provide an ongoing mandate for the Hate Crime Statistics Act (HCSA). We are pleased that Congress intends to include in the Church Arson Prevention Act a six year renewal of the Hate Crimes Statistics Act. The Hate Crimes Statistics Act requires the Justice Department to acquire data on crimes which "manifest prejudice based on race, religion, sexual orientation, or ethnicity" and to publish an annual summary of the findings. In the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322), Congress expanded coverage of the HCSA to require FBI reporting on crimes based on "disability."

Recognizing that an appropriate response to hate violence is dependent on knowledge of the nature and magnitude of the problem, ADL and a broad coalition of law enforcement organizations, local government associations, and civil rights groups have long urged a more institutionalized statutory mandate for the Hate Crimes Statistics Act. On May 21, the Senate approved this measure, S. 1624, without objection. We believe enactment of legislation to provide a permanent mandate for the HCSA is an essential complement to Congressional action to facilitate federal investigations and prosecutions of these arsons.

(4) Congress and the Administration should promote comprehensive implementation of the HCSA by state and local enforcement officials. Because the HCSA, like all FBI crime data collection, is a voluntary program, the credibility of the national numbers is determined by the level of participation by state and local law enforcement agencies. While over 7,300 law enforcement agencies participated in the FBI's 1994 HCSA data collection effort—an increase over the number of 1993 reporting agencies—this figure is still less than half of the 16,000 agencies that regularly report other crime data to the FBI under the Bureau's Uniform Crime Reporting Program. The FBI did not receive data from fourteen of the fifty largest cities in America.

Clearly, steps must be taken to provide additional incentives for comprehensive HCSA implementation, including national recognition, matching grants for training, a network to promote replication of successful programs, and awards for exemplary departments. We believe the Justice Department should also make participation in the HCSA program a prerequisite for receiving money through either the Office of Community Oriented Policing Services (COPS) or its Office of Justice Programs.

Despite an incomplete reporting record over the first five years of the Act, the HCSA has proved to be a powerful mechanism to confront violent bigotry against individuals on the basis of their race, religion, sexual orientation, or ethnicity—and a spark for increased public awareness of the problem. Studies have demonstrated that victims are more likely to report a hate crime if they know a special reporting system is in place.

We believe that the readiness of the criminal justice system to address hate violence has significantly improved over the five year history of the HCSA. As efforts to implement the HCSA continue and expand, we will learn more about the perpetrators of these especially hurtful crimes—and how to prevent them. Providing a permanent mandate for the Act will help institutionalize and expand upon the improvements.

(5) Every state should enact a penalty-enhancement hate crime statute and existing statutes should be vigorously enforced. The U.S. Supreme Court's unanimous decision in *Wisconsin v. Mitchell*, 508 U.S. 476 (1993), on June 11, 1993 upholding the constitutionality of the Wisconsin hate crime penalty-enhancement statute—based on an ADL model now law in over thirty states—removed any doubt that state legislatures may properly increase the penalties for criminal activity in which the victim is intentionally targeted because of his/her race, religion, sexual orientation, gender, or ethnicity.

While bigotry cannot be outlawed, hate crime statutes demonstrate an important commitment to confront criminal activity motivated by prejudice. In conjunction with comprehensive implementation of the HCSA, stiff penalties for hate crime perpetrators send the clear message that hate violence is a law enforcement priority and that each hate crime—and each hate crime victim—is important.



(6) Congress should increase funding for the Justice Department's Community Relations Service (CRS) and examine whether additional funding is necessary to expand FBI civil rights investigations and BATF arson investigations in these cases. It is imperative that the federal government have the resources to conduct aggressive investigations into these violent acts of racial and religious intolerance. The Community Relations Service (CRS), created in the 1964 Civil Rights Act, is the only Federal agency that exists primarily to assist communities in addressing intergroup disputes. CRS professionals have participated in HCSA training sessions for hundreds of law enforcement officials from dozens of police agencies across the country. Especially in the context of allegations of insensitive questioning by arson investigators, the unique conciliation and mediation services CRS provides could provide an extremely useful link between church communities and law enforcement officials investigating these crimes.

(7) Congress and the Administration should promote hate crime training initiatives for Federal law enforcement officials. To complement broader federal jurisdiction in addressing destruction of religious institutions, Congress and the Administration should ensure that federal law enforcement officials are well trained in how to identify, report, and respond to hate violence in an appropriate manner. Law enforcement officials can advance police-community relations by demonstrating a commitment to be both tough on hate crime perpetrators and sensitive to the special needs of hate crime victims.

Hate crime response experts from around the country—including ADL representatives—have assisted in the development of a model curriculum for use by the Federal Law Enforcement Training Centers (FLETC) for federal, state, and local police officials. Congress and the Administration should provide full funding for the Treasury Department to promote and implement this worthwhile initiative and to provide funding for delivery of this program to federal, state, and local law enforcement officials.

(8) Congress and the Administration should help promote civility and acceptance of differences in our society. We must directly confront the prejudice and intolerance that can lead to hate crimes—in our communities, in our houses of worship, in our schools, and, especially, in our homes. The Justice Department, the Department of Education, and other involved federal agencies should institutionalize their response to prejudice-motivated violence through programs and initiatives developed for schools and for youth violence prevention programs. Politicians and civic leaders should not engage in divisive appeals based on race, ethnicity, sexual orientation, or religion. Above all, we must never be silent in the face of bigotry.

### *Conclusion*

The fundamental cause of hate violence in the United States is the persistence of racism, bigotry, and anti-Semitism. Unfortunately, there is no quick, complete solution to these problems—legislative or otherwise.

Excellent resources now exist to help municipalities establish hate crime response procedures. ADL has developed a number of hate crime training resources which are available to communities and law enforcement officials, including a comprehensive guide to hate crime laws, a seventeen-minute hate crime training video on the impact of hate crime and appropriate responses (produced in cooperation with the New Jersey Department of Law and Public Safety), and a handbook of existing hate crime policies and procedures at both large and small police departments. ADL's anti-bias initiatives, coordinated through our A World of Difference Institute, are most often used as proactive measures to help educators, employers, and civic leaders develop the skills, sensitivity, and knowledge to combat bigotry and encourage understanding and respect among diverse groups in the classroom and in the workplace.

ADL stands ready to continue to work with Members of Congress, the Congressional Black Caucus, and the Administration, the FBI, educators, and the law enforcement community to tailor our response and craft new initiatives to effectively confront these very hurtful church arsons, as well as other manifestations of prejudice and hate violence in the years to come.

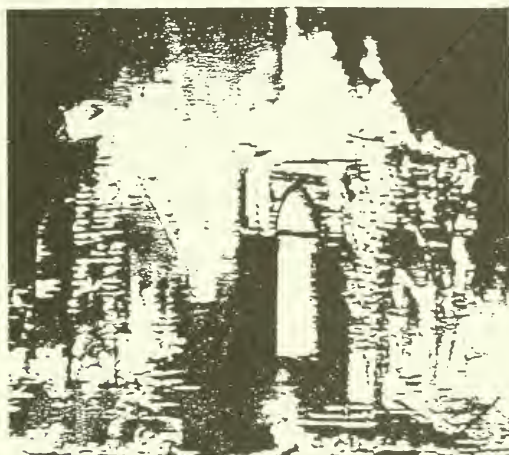
## COMPARISON OF PROVISIONS OF HATE CRIMES STATUTES IN SOUTHERN STATES

	Institutional Vandalism (1)	Penalty Enhancement (2)	Civil Action (3)	Bias Motivated Violence or Intimidation (4)	Race, Religion, Ethnicity (5)	Interference with Religious Worship (6)
Alabama	YES	NO	NO	YES	YES	NO
Arkansas	YES	NO	YES	NO	NO	NO
Florida	YES	YES	YES	YES	YES	YES
Georgia	YES	NO	NO	NO	NO	NO
Louisiana	YES	NO	YES	NO	NO	NO
Mississippi	YES	YES	YES	YES	YES	YES
North Carolina	YES	YES	NO	YES	YES	YES
Oklahoma	YES	YES	YES	YES	YES	YES
South Carolina	NO	NO	NO	NO	NO	YES
Tennessee	YES	YES	NO	YES	YES	YES
Texas	YES	YES	NO	YES	NO	NO
Virginia	YES	YES	YES	YES	YES	YES

In 1981, the Anti-Defamation League created a Model Hate Crimes Statute which was designed as part of a legal strategy to combat hate by increasing the penalties for crimes that include hate and/or bigotry as a component of the underlying crime. A majority of states in this country have adopted hate crime legislation based on or similar to the ADL model. Unfortunately, some states do not go far enough in responding to the insidious threat to our national well being presented by hate. The following is an explanation of the hate crime laws on the books in those states, reflected in the chart above, most immediately affected by the church burning epidemic.

- 1 = Separate criminal penalty for vandalizing property associated with race, religion, ethnicity or group affiliation of the property.
- 2 = Enhanced penalty if underlying crime is motivated by bias or bigotry.
- 3 = Alternative remedy available to victims of hate crimes for civil (\$) damages.
- 4 = Criminal penalty for violence, intimidation or harassment based on bias or bigotry.
- 5 = Criminal penalty based on race, religion or ethnicity of the victim.
- 6 = Separate criminal penalty for activities that interfere with religious worship including, but not limited to, the destruction of religious property.

# The Fire of Hate Consumes Us All



## Help Put It Out Now

Far more than the men, women and children of the more than 30 burned Black Churches have been hurt by the cowardly acts of prejudice that burned their places of worship.

We have all been hurt by these acts of hate.

They have defaced the values that affect each of us. They have violated our American guarantees of freedom regardless of race, religion or ethnicity.

At the Anti-Defamation League, we know all too well that people of goodwill must never be silent in the face of bigotry. The consequences of silence are deadly.

You can — indeed you must — do something to stop these vicious hatemongers from succeeding. Speak out. Tell the victims they are not alone. Show the perpetrators that their acts of hate enrage all good Americans.

Show your support by writing letters to the members of the burned churches. Mail them to us and we will forward them to the appropriate addresses. And, if you are able, please contribute as much as you can to help rebuild these houses of worship.

Send your check, made out to *ADL-Rebuild the Churches Fund*, and mail to the address below. All contributions to this fund will be distributed for the rebuilding of these churches.

ADL will continue to combat hatred and bigotry on other fronts as well—tracking and exposing haters and hate groups, promoting laws against hate crimes and developing anti-bigotry programs.

Edmund Burke said it best, "All that is necessary for the triumph of evil is for good men to do nothing."

David H. Strassler  
National Chairman

Abraham H. Foxman  
National Director



PREPARED STATEMENT OF THE GENERAL BOARD OF CHURCH AND SOCIETY, THE  
UNITED METHODIST CHURCH

Black religion as institutionalized in the churches has historically functioned for the survival and development of African American people. The churches are the oldest and have been the strongest and most visible expressions of the fact that, in addition to belief in the worth and equality of Black people in the family of humankind, the American context and experiment for freedom, justice and equality have been embraced. It is important to note that throughout the history of Black churches in America and their support for Black people, there has never been a time of denial or opposition to the humanity and worth of other racial-ethnic groups.

The broad-ranging functions of Black churches are legend. Dubois, Mays and Nicholson, Johnson, Frazier, Wilmore, Lincoln and other Black scholars have variously observed and analyzed the roles and functions of Black churches for Black people and American society at large. When Black people were barred from other social and religious organizations Black churches served as contexts of worship but also as centers social gathering, recreation and interaction; as schoolhouses; as sources and training grounds for political leadership; as "nation within a nation," as service organizations; as places of planning for civic participation; as centers of protest and activism against injustice, et cetera. Black churches were critically important institutions for religious belief and practice, for shaping the character and will of African American people, and providing opportunity for social expression and group development. In all of this they functioned as an unheeded moral compass for other religious groups and the nation as a whole.

The African American churches, to the present time, serve as centers of inspiration and mobilization for services activities where no other access is available. Constructive action to combat institutionalized White racism is among those activities and has been necessary from the beginning. The churches have had to assume roles that other ethnic groups (White, in particular) received from other organizations of the community.

When examined closely it becomes apparent that some of the activities of Black churches may be seen in terms of formal and informal functions which can be analytically separated in terms of religious and non-religious effect. This is not a denial that the holistic religious world view of many African American churches incorporates elements that can be regarded as non-religious activity in the sacred sphere. Despite this type of world view, religion and government, or church and government are seen as structurally separate things. The operational effect is to understand the churches as social and physical/material infrastructures for other vital activities, for example as (1) a meeting place to organize and extend service activities; (2) the best established financial base on which service activities may depend for seed money or continuing support; (3) the source of leadership, both lay and clergy; (4) the primary source of inspiration for church and community organizations that participate in service functions (consciously and unconsciously related to religious belief about caring for people who are in need).

Although the most recent large-scale study of participation of Black rural churches in "nonchurch" organizations found modest outreach into activities such as employment, day-care, drug and alcohol abuse, youth programs, tutoring and education and other "community-oriented" or "social problem" programs, "marked improvement" is reported in some areas over the past 30 years. (Lincoln & Mamiya, *The Black Church in the African American Experience*, pp. 108-109).

To the question of breaching the separation of religion and government, it is well to observe the cultural and structural differences that attend the whole consideration. While structural separation has been closely adhered to, reciprocal influences between dominant "religious cultures" of the United States of America and what is termed here the "culture of governance" in the United States of America have always been strong. The proscriptions against indoctrination or the establishment of specific religious belief systems into civil governance have served this nation well. Indeed, were it not for continuing effort to restrict and limit certain Christian-oriented religious practices, the zealots of certain fundamentalistic points of view would nearly overwhelm the nation and the people in the name of religious freedom. Yet, the public and structural proscriptions against established religion notwithstanding, the motifs of freedom, justice, equality and the dignity of humankind are present in the foundational civic documents of governance as well as in the fundamental holy writs of the prevailing Christian, Jewish and Islamic religions.

What are some of the implications of this for the spate of Black church burnings. First, it affords a ground of justification for the participation of government (federal, state and local) in the restoration of the church centers or buildings. One would hardly expect government at various levels to go into the business of rebuilding

church buildings. However, to the extent that it can be demonstrated that Black churches have functioned as service and community-building agencies and have worked to provide for the rights and needs of people, guaranteed in principle by the government, but not appreciably delivered, the case can be made for government participation in reversing the destruction and correcting the burning of buildings that have been perpetrated against Black churches as community-based (albeit ostensibly religious) organizations.

Second, to the extent that Black churches function, in part, as civic organizations and are part of the constructive thrust of the Preamble to the Constitution, it is morally justifiable for the government to take part in the building and restoration of buildings. A deliberative approach is to be counseled, but participation in the civil effort to protect and promote the common good of the people and the nation, by precept and example, is a reasonable expectation of government.

Third, although part of the government response should be to participate in extending financial resources for recovery and providing moral example for addressing catastrophic events and to establish justice in the land, another area of important action is to step up the legal protections afforded Black churches and other social and religious organizations that contribute to the ordering of just and peaceful community and society. Churches located in remote and rural areas will remain vulnerable to the insanity of arson. Arsonists need to clearly understand that when apprehended for such crimes, they will be dealt with severely. Rigorous enforcement of laws concerning arson and destruction of properties entrusted to public and private groups is required. But there are more subtle areas of concern within the law. Many of the church buildings simply are not insured. Reasons range from the belief that it is not necessary to the inability to afford insurance. If the burning of church buildings increases the risk for insurance companies to the point that they drop churches from insurance programs or make the cost prohibitive, legal restraints need to be put into place to prevent such action.

Low interest loans and special matching funds represent a fourth possibility for government participation on the broadly economic front. Condescending handouts are not appropriate. Indeed, members of Black churches would want to say to the government and to others who have come lately to help that we will continue to work hard to garner most of resources necessary to rebuild. Black churches have always provided the bulk of the care and resourcing that made it possible for Black folk to survive and experience modest development, in this economy and now the global economy—in spite of hostile opposing forces. Black people in Black churches would want to say to government, churches and American society that we are no strangers to adversity. Three hundred years of slavery and exploitative racial segregation have stunted community economic development as part of this society but has not stopped the people from working to achieve and believing in this national experiment. We would want to say that the labor and resources stolen over three centuries would have put African American people in good stead to respond to situations such as the tragic burning of Black church buildings at the close of the twentieth century. Still, what is being sought from the government, Christian churches and other religious communities is “not a handout but a hand.”

Finally, the government may want to carefully assess participation in the restoration of Black church buildings (including the multi-ethnic and multi-cultural congregations affected) as a means of investing in the future of the American that can be. Since these very congregations are very likely to be helpers in nurturing strong, moral and compassionate individuals, socializing appropriate values, building relationships and loyalties that contribute to vital American communities and society, assistance to enhance these functions may be one of the best investments that can be made in and for the nation. In any case, these are a few of the arguments, not for assuming responsibility for rebuilding Black church buildings, but for participating, resourcing, and investing in the restoration of African American church buildings as important centers of community-based civil, social and service organizations that can and will give in return to making America strong in freedom, justice and equity.

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PREPARED STATEMENT OF SANFORD CLOUD, JR., PRESIDENT & CEO OF THE  
NATIONAL CONFERENCE

On behalf of The National Conference, we are honored by the invitation of the United States Senate Judiciary Committee to present the views and responses of The National Conference to the burning of churches across the nation. We appreciate this opportunity to present our perspective to the Committee as it considers what our nation must do to address this tragic loss.

Founded in 1927 as The National Conference of Christians and Jews, The National Conference is a human relations organization with an outreach to 32 states and the District of Columbia through 62 regional offices. The National Conference is committed to addressing the larger societal problem of racism and all forms of bias and bigotry that clearly underlies the acts of violence against these African American faith and communal centers. Although it is essential to rebuild the churches, our society must now turn its focus on initiatives that will create whole communities which reject racism and all forms of bigotry and thereby redefine the societal context for these acts of violence. Our efforts will be directed to bringing people together to identify common ground, community-building, and supporting nationwide initiatives that seek to foster deeper understanding and respect between and among differing peoples.

The National Conference's response to the burning of churches across the nation is a dual commitment: to morally and financially support the faith communities affected by these hate crimes, and to address the root causes that are dividing us from each other through effective programs and initiatives including conducting purposeful, honest conversations on race, ethnicity and culture. These conversations can foster new, respectful relationships that are informed by a deepened understanding of the role of prejudice and stereotyping in discriminatory behavior. From these new relationships spring a commitment to fight against such behavior in one's self, one's life, and one's community. This commitment to action is critical, since it is only human action that can break down the walls that divide us and change the context in which racially-motivated acts of vandalism and violence occur.

The National Conference will partner with other human and civil rights organizations to conduct purposeful community dialogues on race, ethnicity and culture in the United States. These conversations can be effective because environments are created where diverse voices can be expressed. These programs are designed to provide people with the tools to communicate across racial, cultural and other barriers. When communication is effective and respectful, civic participation increases and communities move toward wholeness. Honest, forthright conversation is the cornerstone of a just and democratic nation and is essential to addressing the problems that are dividing us and leading hatemongers to violence.

Through its 62 regional offices and other partners, The National Conference will also demonstrate its commitment to the healing of America through locally designed initiatives to bring attention to the church burnings and underlying racism. In discussions with regional leadership, plans for local programs include advocating hate crime legislation in communities and states where such legislation does not currently exist, rallies and candlelight vigils to show moral outrage and support for the affected faith communities, convening of a cross-section of public, private, independent sector and faith leaders to design programs to address racism, calling upon elected leadership to bring the full forces of law enforcement to solve these hate crimes, providing volunteers to stand watch over rural African American churches, and participating in the financial and physical rebuilding of the churches.

Our efforts must seek to strengthen inclusivity, enhance citizen training and education, and build local capacity for community-wide problem-solving because the perceptual gap between and among us is wide and leaves the vast majority vulnerable to divisive tones in today's discourse. Particular attention also must be paid to community residents as well as area leadership for it is here that we are able to have a positive impact on people who might otherwise drift toward more extreme views or behaviors. Members of the militia or the Klan are easily recognized as a threat to the whole of society, but it is the person who sympathizes with the beliefs of these groups that presents the largest problem and promise for improving how we relate to one another.

These sympathizers represent a fertile breeding ground for either positive or negative intergroup relations. They also illustrate the difficult work necessary for true respect and community building because they do not wear hoods or fatigues and do not wish overt harm to any group. They simply do not see the common space they may share or feel the need to interact with people who look or speak differently.

They also may foster the social and political context in which individuals choose the burning of churches as their mode for expressing hatred, anger, frustration, immaturity, or whatever the motivation might be for committing these acts against the African American community. Whatever that motivation happens to be from instance to instance, what surely unites these acts is the significance of their targets as contemporary and historic centers of positive social, political, economic, and religious activity in the African American community. In a social and political context where African Americans are routinely identified as unproductive and undesirable, it is no surprise that individual and collective acts of violence would be perpetrated

against one of the most important indigenous institutions in that community either as disturbed pranks or messages of hate and intimidation.

The responsibility for combating bias, bigotry, and racism and promoting understanding and respect rests with all of us. It is the collective responsibility of elected officials and opinion leaders, of institutions and individuals. Above all, it is the core obligation of citizenship in a civil and democratic society. No society can possibly be open, free and cohesive if its people are constantly at war with each other. We are all diminished by any act of violence and discrimination against others among us. None of us can hide on the sidelines hoping it won't touch us or our families.

As much as we welcome the heightened FBI and police activity, we must remember that their energy is focused only on the egregious symptoms of the poison in our society, not on its sources. That is why The National Conference, The National Urban League, and Anti-Defamation League, and the National Council of La Raza have joined forces to challenge all Americans and our government to rid our society of the scourge of bias, bigotry, and racism while there is still time. At the same time that the Judiciary Committee's hearings are taking place, these four organizations are holding a press conference in New York City to announce the creation of a new collaboration entitled "National Voices for an Inclusive 21st Century." We are organizations, corporations, faith communities, and individuals whose missions and lives are dedicated to bringing our nation's people into a new and respectful relationship with each other and who are committed to making our country's rich pluralism our nation's greatest asset. We will work together to find constructive ways to promote a truly inclusive country. Some of us focus on one constituency and some on another; some of us seek to address hate crimes and others create programs to facilitate understanding and respect to take the place of the hatreds that are infecting America.

The National Voices for an Inclusive 21st Century is a growing collaboration which will take individual and collective action to eradicate racism and the other "isms", promote inclusion, treat each other with civility and respect, and create whole communities that accept responsibility for the one and for the entirety. We are moving forward with two initiatives to begin our work. First, through our extensive networks and the media, we call upon the Presidential candidates to focus the 1996 campaigns on the specific actions they will take to eradicate racism and the other "isms" that are tearing us apart as a nation, promote a fully inclusive society, and create whole communities that reflect our rich diversity and where each of us have access and opportunity. Nothing is more central to our nations' future than this discussion. A campaign that focuses on the economy, international relations, welfare reform, or flat taxes and ignores the root problems around bias, bigotry and racism will be a hollow campaign. We acknowledge that it is difficult to have honest conversations about race, ethnicity and culture in America, but the responsibility of leadership necessitates tackling the toughest issues, and there is not a more important issue for the survival of our civil society than addressing racism and the other "isms" in our country. We will take aggressive steps to insure that the Presidential candidates consistently address this critical issue.

The second major initiative of The National Voices for an Inclusive 21st Century will be created of a "Bigotry Watch." It will seek to monitor the media and public discourse to identify examples of leadership from a range of fields who contribute to a climate of intolerance through their words and actions. Bigotry Watch will call upon individuals and organizations to account publicly for their actions in fanning the flames of bias, bigotry, and racism. Moreover, it will also seek to provide alternatives to this divisive and destructive rhetoric and thereby begin to redefine the social and political context which we interact.

We conclude our call to action with a plea for the commitment and engagement of the nation's most powerful and respected leaders to lead a renewed quest for social cohesion. It is imperative that we examine thoughtfully and compassionately the implications of what it means to be a robustly pluralistic democracy with room in our domestic economy for all Americans. For if we fail to make the core concepts of "pluralism," "democracy," or "room in the economy" work reasonably well for everyone, the corrosive effects over time on social cohesion and economic competitiveness could be devastating.

This is too fateful an issue for our society for it to become ensnared in election politics. Thus we would call for the creation—after Inauguration Day 1997—of a bipartisan Presidential Summit to examine and assess the primary sources of racism and other forms of alienation in our society. The Summit would study and publicize widely the myriad of constructive ways in which individuals, institutions and entire communities have managed to combat bigotry and promote respect and understanding. We would help define an inclusive society and present that picture with all its positive implications to the American public on a continual bias. The Summit would



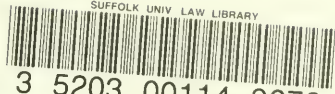
issue a clarion call for all the institutions that comprise America to move resolutely and irreversibly toward an inclusive, civil and cohesive society. Lastly, we would challenge people and their community and spiritual leaders to make understanding and respect a moral imperative which governs the behavior of every American.

The National Conference calls on all Americans to join in the effort to stop this violence; to rebuild these centers of faith and community; and to confront the racism in our society, person by person, community by community, in order to reach understanding and respect among all.





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